The Evidences For the Ẓāhirī Madhab

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بِسْمِ اللَّهِ الرَّحْمٰنِ الرَّحِيمِ ، الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ،

وَصَلَّى اللَّهُ عَلَىٰ مُحَمَّدٍ خَاتَمِ النَّبِيِّينَ وَالْمُرْسَلِينَ،

وَسَلَّمَ تَسْلِيمًا

What Exactly is the Religion that Must be Followed

The religion that must be followed is the revelation of Allāh and that is what the Prophet ﷺ came with, which is the Qurʿān and his Sunnah ﷺ, Allāh said about the Prophet, “I only follow what is revealed to me.” [Al-Anʿām: 50]

And Allāh says, “They said, ‘Do we have any say in the matter?’ Say, ‘Indeed, the matter belongs completely to Allāh’” [3:154].

Allah said, “Follow, [O mankind], what has been revealed to you from your Lord and do not follow other than Him any allies. Little do you remember.” [7:3]

And Allāh says, “And follow what is revealed to you, and be patient until Allāh will judge. And He is the best of judges” [10:109].

Allāh the Most Exalted ordered the Messenger of Allāh say, when He said, “I follow nothing except what is revealed to me” [6:50].

And Allāh says, “I am obliged to say nothing concerning Allāh except the truth” [7:105].

And Allāh says, “And what is there, after truth, but error?” [10:32].

And Allāh says, “I have not said to them anything except what You have ordered me to” [5:117].

And He said, “And he does not speak of desire, it is nothing but a revelation revealed.” [Al-Najm: 3-4]

And knowledge about his Sunnah comes in three manners. It is not condition for his Sunnah to be in the form of a Ḥadīth, whoever makes that a condition speaks without evidence. The manner that is in other than the form of Ḥadīth is decisive ijmāʾ, and not any ijmāʾ but the ijmāʾ that brings certainty that it is an acknowledgment from the Prophet ﷺ without something being narrated about him ﷺ, the exact description of that will come in the chapter about ijmāʾ. As for the other

two manners, they are Ḥadīth, what is narrated from him ﷺ generation after generation. The obligation of accepting this is because of the verse, “O you who believe, obey Allāh, and obey the Messenger and those in authority among you.” [4:59]

There is no authority greater than those what convey what the Prophet ﷺ has come with, and ulu al-amr means ʿulamāʾ and umarāʾ, so those that are knowing (ʿālim) of what they convey from the Prophet ﷺ by memory and precision, they are the thiqāt, it must be accepted from them.

And Allāh said, “So why did not a go forth from each group a division to obtain knowledge in the religion and warn their people.” [9:122]

So Allāh obliged accepting the warning of those who obtained knowledge of the religion which is the revelation which is what the Prophet ﷺ came with, so what they convey from the Prophet ﷺ, it is obligatory to accept it.

And in each verses Allāh only obliged accepting from those who obtained knowledge about what they convey/narrate from the Prophet ﷺ, not the ones not knowing what they narrate from the Prophet ﷺ, and Allāh with obliging this also guards the religion as He said, “Indeed, it is We who sent down the message [i.e., the Qur’ān], and indeed, We will be its guardian.” [15:9]

So what He ordered to accept is what he protected, so it is obligatory to accept what the thiqāt narrate from the Prophet ﷺ and that is part of the religion that He guards.

And what is narrated from him ﷺ is also from two categories: mutawātir and khabar al-wāḥid, both are decisive and with certainty from the religion of Allāh, as this is what Allāh obliged us to accept and said about it that He guards it, so the narrators are infallible in what they narrate. It does not harm that it is possible that in other cases mistakes can occur from them, when that is decisively established then only in that place the narration is rejected, as for when it is not then it must be accepted as Allāh obliged accepting it from them. Just as the

Prophet ﷺ is infallible even if he ﷺ made mistakes without having sinned.

So these four: the Qurʿān, the Sunnah which divides into three: ijmāʾ, mutawātir and khabar al-wāḥid are equally from the religion, there is no difference between them, one of them does not overweigh or precede the other, all of them must be used equally and together, it is not allowed to precede one for the other. Whoever does that has done falsely without any decisive evidence for making a difference between these four. So this means that a khabar al-wāḥid can clarify the mujmal verses of the Qurʿān and that a khabar al-wāḥid can make takhṣīṣ of the Qurʿān and that a khabar al-wāḥid can abrogate verses of the Qurʿān. And more clarification for all of these will come in their chapters by the will of Allāh.

The Reality of the ʿAql

What comes with the ʿaql are decisive evidences that lead to knowledge of the truth in everything over which people differ. Indeed, the human being comes forth into this world while his soul has entirely lost remembrance. There is no remembrance for the infant at the time of his birth, nor any discernment what is similar at this stage is like that with the remaining animals from mere sensation and voluntary movement only.

Then when the soul becomes strong, then the very first thing that occurs to it of discernment, which distinguishes the speaking animal from other animals, is its understanding of what it has perceived through its senses. Such as its knowledge that a pleasant smell is accepted, and a foul smell repugnant; and its knowledge that red is different from green, from yellow, from white, and from black. And knowing the distinction between rough and smooth, dense and friable, viscous, hot, cold, and warm; and also the distinction between sweet and sour, bitter and salty, astringent and pungent, insipid, fresh, and sharp. And also the distinction between a sharp sound, a soft sound, and a deep sound, between that which is pleasing and that which is frightening. These are the perceptions of the five senses of the sensed matters.

The sixth perception is its knowledge that a part of something whole is less than the whole. Because a small child, at the beginning of his discernment, if given two dates or two figs, he cries, but if you add a third, he becomes pleased. This is his knowledge that a whole is greater than a part, even if he does not consciously attend to defining what he knows of that.

Among this is also his knowledge that two opposites cannot coexist. Because if you force him to stand, he cries and struggles to sit, knowing that he cannot be standing and sitting at the same time.

And among this is his knowledge that one body cannot be in two places at once. Because if he wishes to go to a place and you

forcibly restrain him, he cries and says words of which the meaning is, “Let me go,” knowing that he cannot be in the place he wishes to go to so long as he remains in another place.

Among this is also his knowledge that two bodies cannot be in one place. Because you see him struggling over the place in which he wishes to sit, knowing that that place cannot contain him together with what is already in it; then he pushes away whoever is in that place in which he wishes to sit, since he knows that as long as something occupies a place, it cannot accommodate him within it.

And if you say to him, “Hand me what is on this wall,” while he cannot reach it, he says, “I cannot reach it,” knowing that what is taller exceeds in measure that which is shorter than it.

And you see him walking toward the thing he sees in order to reach it. This is his knowledge that what has an end is confined and measured by number, even if he is not able to articulate precisely what he knows of that.

Among these is his knowledge that no one knows the unseen. Because if you ask him about something he does not know, he denies knowledge of it and says: I do not know.

Among these is his distinction between truth and falsehood. Because if he is informed of a report, you find that at times he does not believe it, until it is corroborated for him by another informant and yet another; then he believes it and becomes at ease with it.

Among these is his knowledge that nothing exists except in time. Because if you mention some matter to him, he says, “When did it happen?” And if you say to him, “Why did you not do such-and-such?” He says, “When was I doing it?” This is his knowledge that nothing of what exists in the world can be except within time.

And he knows that things have natures and essential realities at which they stop and do not go beyond. So if he sees something he does not know, he says, “What is it?” Then if it is explained to him, he becomes silent.

Among these is his knowledge that no action exists except by a doer. So when he sees something, he says, “Who did this?” And he is never satisfied with the idea that it came about without a doer. And when he sees something in a person’s hand, he says to him, “Who gave you this?”

Among these is his knowledge that within reports there is truth and falsehood. So you see him rejecting some of what he hears, believing some of it, and suspending judgment regarding some of it.

All of this is observed by all people at the beginning of their formation. These, then, are the first principles of ʿaql over which no person of sound reason differs.

There are other matters besides what we have mentioned, which, when examined, are found, and every person of intellect distinguishes them within himself. No one knows how knowledge of all these things came to him in any manner whatsoever. And no one possessing sound discernment doubts that all of these matters are free of uncertainty. Instead, doubt concerning them only arises after the soundness of their knowledge, in one whose ʿaql has been afflicted by a defect, whose discernment has been corrupted, or who has inclined toward some corrupt sayings this itself being an affliction that has entered upon his discernment. This is like the affliction that befalls one that he finds honey bitter; or one in whose eyes the onset of cataracts has begun, so that he sees phantoms with no reality; and like the rest of the afflictions that befall the senses.

These preliminary principles that we have mentioned are the sound ones, beyond any doubt, and there is no way to seek evidence for them except by a madman or an ignorant person who does not know the realities of things, and even less than that, a child. This is a matter acknowledged equally by all the mature and the young among the children of Ādam across the earth, except for those who delude themselves or stubbornly oppose their ʿaql, with that joining the ranks of the insane. Because reasoning about something can only occur within time, and this is necessarily known from the first principles of

intellect, because it is known by necessity of reason that nothing in the world exists necessarily except in time. Between the earliest moment of the soul's discernment in this world and its comprehension of all that we have mentioned, there is absolutely no interval and no delay. So there is no means to reason upon them, because there is no time in which the soul can reason about them. It is then established that they are necessary truths placed by Allāh, the Mighty and Majestic, within the soul, and reasoning about them is possible only from these preliminary principles. Nothing is valid except by referring back to them.

Whatever is attested by one of these principles as correct is certain and true, and whatever is not is false and invalid. Yet reference to them can be from near or from far. What is near is clearer to every soul and easier to understand. The farther these principles are, the more difficult it becomes to reason from them, and errors are more likely, except for those of strong understanding and discernment. This does not diminish the fact that whatever returns to one of the principles we mentioned is true, just as that principle itself is true, and there is no difference. This is like numbers: the fewer the numbers, the easier it is to sum them without error; but as the numbers increase and the work of summing them grows, it becomes difficult, and errors occur except for a competent and skilled calculator. And whether near or far, all of it is true; there is no distinction among them. It is impossible for one of the principles we mentioned to contradict another, and similarly, it is impossible for a correct deduction that refers to one principle to contradict a correct deduction that refers to another principle, this is all necessarily known.

The ʿAql Cannot Make Ḥarām, Ḥalāl or Farḍ

There is no evidence for this, the ʿaql only understands the orders, it does not create them. The one who claims that the ʿaql makes ḥalāl and makes ḥarām, or that ʿaql produces binding ʿilal (reasons) for why Allāh the Creator, exalted, has manifested in this world all of His actions that exist within it, whether from the revealed sharāʿiʾ or other than the sharāʿiʾ, then he stands in the position of one who nullifies the authority of ʿaql entirely.

So these are two false sides:

One of them goes to excess and by that departs from the judgment of the ʿaql.

The other falls short and by that departs from the judgment of ʿaql.

Whoever claims for ʿaql what is not in it is like one who removes from it what is in it; there is no difference between the two. We do not know of any sect more distant from the path of the ʿaql than these two sects together: one of them is that which nullifies the evidences by the ʿaql altogether, and the other is that which, by means of its own ʿaql, seeks to correct its Creator regarding matters in which their Lord, exalted, has not passed judgment, according to their claim. So they understood it, fixed them in place, and arranged them in ranked levels, and they deemed it obligatory that their Lord, exalted, has no way to depart from them, and that His actions, exalted, do not proceed except under their laws. Both groups have indeed fabricated against Allāh, exalted, a tremendous falsehood, and they have brought forth something at which the skins of people of ʿaql shudder.

We have already clarified that the true reality of ʿaql is only the distinguishing of things perceived by the senses and by understanding, and the knowledge of their attributes as they are, what they are upon: such as the necessity of the createdness of the creation, that the Creator is One without beginning, the validity of the prophethood of the one whose prophethood has been established by proofs, the obligation of

obeying the one who threatens us with the fire for disobeying him and acting upon what ʿaql has affirmed in all of that; and other things that exist in the creation other than the sharāʿiʾ, and he is made aware only of the howness of all of that.

As for the ʿaql itself obligating that a swine is ḥarām or ḥalāl; or that a goat is ḥalāl or ḥarām; or that there is a ẓuhr prayer that has of four rakaʿāt and the maghrib prayer is three; or that the head is wiped in wuḍūʾ; or that a person nullifies his wuḍūʾ by his lower body but still must wash his upper body; or that it is allowed to marry four but not five; or that the one that commits adultery while being married gets the ḥadd even if the woman's husband and her father forgive him, while the deliberate killer of a protected soul, there is no ḥadd against him if the awliyāʾ of the dead forgive; or that a human being has two eyes instead of three or four; or that the wandering celestial bodies are seven instead of nine; and the same for all the other ranks of the entire creatin, then this is something in which there is no scope for the ʿaql at all, not in obligating it and also not in prohibiting it.

Instead what belongs to the ʿaql is only understanding from Allāh, exalted, His orders, the obligation of refraining from transgression into that whose transgression is feared to bring punishment, and affirming that Allāh, exalted, does whatever He wills. If He willed to make ḥarām what He has made ḥalāl and to make ḥalāl what He has made ḥarām, that belongs to Him, exalted; and if He would do that, it would be obligatory upon us to submit to all of that, with nothing more.

It also belongs to the ʿaql to know the attributes of everything whose knowledge is possible for us among what exists in the world, and that it is upon such-and-such a quality or such-and-such a form, exactly as its Lord, exalted, has perfected it, without addition. And with Allāh, exalted, is success, and to Him is the turning in hope for repelling that which we are unable to bear.

All Orders Are by Default Obligations

What is understood from orders is that the one that gives the order intends that what he has ordered to be carried out and he obliges with that the one ordered with that order and the one that is ordered disobeys and sins by not carrying out his order.

Some say, "The default is that orders are not obligatory till there is additional evidence that they are obligatory or recommended or allowed or disliked."

What is only correct is that the default is that all orders are all obligations till there is additional evidence that it is disliked, recommended or allowed.

Those that oppose this say, "Because orders at many times do not mean obligations but are recommendations and dislike, because of this we cannot know what orders in general are whenever they occur except if there is an additional evidence indicating it."

They argue, "If an order would be an obligation then it would be in every single order and in every single situation be an obligation, but as that's not the case an order is never not an obligation except with evidence."

This is false because if the default would be that every single word that has more meanings would not mean anything except if there is an additional evidence found then it would invalidate every single language.

So instead of this, the aṣl is that everything has its own name that distinguishes it from everything else. This is the only way understanding occurs and by which language establishes.

If every single meaning would not have a name specific to it then clarification would be impossible, while Allāh said, "And We did not send any messenger except [speaking] in the language of his people to state clearly for them." [Ibrāhīm: 4]

Confusing and mixing meanings is the essence of problem.

So this is the aṣl, that all meanings that exist has its own word/name. Then there are words with many meanings, this is also valid and are all taken in consideration, these are with the ṣaḥīḥah/ḥaqīqī meanings of the words, this specifically will be clarified in the coming chapters by the will of Allāh. These two are both the aṣl for the meanings of a word

What we mean in this chapter are contradictory meanings under a word or majāzī meanings for a word, as this is not the aṣl. This can then not be affirmed except if establishes with us that it is arranged then with a different arrangement than the aṣl.

And there is no saying except that it exists somewhere in another binyah (structure) in the language either as majāz or as an agreement between two people speaking, so claiming that for something to be as it is that it must consistently stay in that manner is false and what is only correct is that the aṣl is the default meaning, then if there is evidence found the non-default meaning is taken.

Another thing is that they say, "If there are multiple meanings only one meaning is chosen."

This is false without evidence, instead everything that the meaning of the word necessitates must be taken even if they are multiple meanings, as long as those meanings do not contradict each other in which case only the default meaning is taken by which understanding occurs. So all meanings are taken except if there is evidence to specify some meanings.

And this is not possible with orders because an order to do something cannot mean an obligation, recommendation, dislike and prohibition all at the same time so it returns to the default meaning which is obligation.

The meaning of orders at times meaning recommendations is only just as many meanings being changed from their default meanings to other matters, the creator of the language and the people of the language do that, as Allāh wills. Just as Allāh changed the meaning of ṣalāh in the language which is duʿāʾ to something else and fasting from

wuqūf to something else and the name of kufr which is covering to something else. So if we find such then if there is evidence that a word is changed from its place in the language to another place then it moves otherwise not.

And as they say, "Because an order is sometimes recommended, disliked and allowed, we must make tawaqquf of orders in general till an evidence indicates it."

They are implied to then make tawaqquf (stop) with every single verse and every single narration because it might be Mansūkh till an evidence indicates that it's not.

If they say, "We do not disagree that the meaning of an order is an obligation but we only say that its place in the language is not only an obligation without it also meaning recommendation, it is not one without the other."

This is impossible because these are two contradictory meanings so the original place for an order must be obligation only nothing else, and it only then changes to another meaning with evidence in some places.

The opponents ask, "By what is the order known to indicate obligation, by itself, or only through external evidence? If you say it indicates obligation by itself, then that is exactly where we disagree. But if you say it only indicates obligation through external evidence, then you admit that the order itself doesn't show obligation, and by that its evidence is even less likely to indicate it."

Till now we are only clarifying from the aspect of the ʿaql and language that it inherently by itself means obligation by default and we will bring then the Qurʿān and authentic Sunnah indicating likewise. And them differing with it, there is no meaning to that.

Humans are naturally compelled to recognize that things have real essences and meanings that reality exists as it appears. This innate recognition is created by Allāh within us at the beginning of our understanding; it is the foundation for distinguishing truths from falsehoods as clarified before. And by this innate knowledge, we know

basic realities, such as that stone is hard, that water is fluid by nature even if it freezes at times, and that calling someone "foolish" is blame, and calling him "wise" is praise. And we know by this that ordering is one of the four components of speech: Inquiry, statement, call and order. And through this same natural understanding, we know that the nature of an order inherently means that the one orders someone wants him as an obligation to perform what he ordered. So the meaning of order is then something that the mind directly grasps, even before external evidences, establishing that the default meaning is obligation.

Some of them say, "Only orders that are associated with a threat are obligatory orders."

This is a claim without evidence and Allāh also associated every single order in general with a threat, "So let those beware who dissent from his order, lest fitnah strike them or a painful punishment." [Al-Nūr: 63]

And avoiding an order is the exact meaning disobedience (maʿṣiyah) and Allāh threatened with the fire the one that disobeys, as He said, "And whoever disobeys Allāh and His Messenger - then indeed, for him is the fire of Hell; they will abide therein forever." [Al-Jinn: 23]

And the decisive evidence that the default is that orders are obligatory is the saying of the Prophet ﷺ, "So when I order you to do something, do of it as much as you are able, and when I forbid you from something, then avoid it."[1]

And the prophet ﷺ ordered a people not to touch a water but they did then he cursed them[2].

So his order was obligatory.

And the Prophet ﷺ ordered at al-Ḥudaybiyyah and the companions did not follow his order and the Prophet ﷺ was angered by this[3].

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[1] Ṣaḥīḥ Muslim 1337

[2] Ṣaḥīḥ Muslim 706, 10

[3] Ṣaḥīḥ Bukhārī 2731, 2732

And ibn ʿUmar said, “O Messenger of Allah, Do you pray over him (that kāfir) while Allah has forbidden you to pray over him?” The Messenger of Allah ﷺ said: “Allah only gave me the choice and said: ‘Seek forgiveness for them or do not seek forgiveness for them; if you seek forgiveness for them seventy times, I will add more than seventy.’” ʿUmar said: “He is a hypocrite.” So the Messenger of Allah ﷺ prayed over him, and Allah, the Exalted, revealed: “And do not pray over any of them who have died forever, and do not stand at their graves.”[4]

In this ḥadīth there is sufficient clarification regarding taking everything according to its apparent meaning. The Messenger of Allah ﷺ understood the wording, “or,” as a choice. Then when the mere prohibition came, he took it as obligatory.

And Allāh said, “It is not for a believing man or a believing woman, when Allāh and His Messenger have decided a matter, that they should [thereafter] have any choice about their affair.” [Al-Aḥzāb: 36]

Some people claim that there is a difference between the orders of Allāh and the orders of the messenger and this is false without evidence as Allāh said, “He who obeys the Messenger has obeyed Allāh.” [Al-Nisāʾ: 80]

And those that oppose this are asked: What do you do if you never find an external indication for it? You either wait forever which is false or you claim it is recommended without evidence because as we said that in this case you do not find external indication for it, or you say it is obligatory which is the only correct saying which is our saying.

If they mention the Ḥadīth in which it is mentioned that the companions were not rebuked for making wrong ijtihād about delaying ʿaṣr at Banī Qurayẓah[5].

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[4] Ṣaḥīḥ Muslim 2774, 3

[5] Ṣaḥīḥ al-Bukhārī 946

Then this is not a ḥujjah because this is the most specific prayer in Islām about a specific location and when its time ended its obligation also ended so they cannot be rebuked as they did not sin as the time of the obligation ended, and then one is rewarded twice and one is rewarded once and because of the rulings of ijtihād and also if it would be the case that the Prophet ﷺ acknowledged both of these two actions then it only means that those two actions in that specific case were permissible just as when an order becomes abrogated or permissible by the acknowledgment of the Prophet ﷺ opposing what was before it, as it is certain that it is absolutely impossible for two contradicting matters for which one is wrong to be correct so it is one of these two possibilities without a shred of doubt.

And also the prophet ﷺ rejected upon Abū Saʿīd ibn al-Muʿallā when he ﷺ called him and he did not answer him because he was in his prayer[6].

There is in this that the orders are upon obligation of orders. And there is in this Ḥadīth also a clear indication for our method of making an exception for the lesser meaning and using all orders as will be clarified in great detail in the coming chapters by the will of Allah.

The Prophet ﷺ also made a clear difference between an order of obligation and an order of choice, with a clear difference[7]. He made a wuḍūʾ that is not obligatory with the words of choice and the other with the words of order which is obligatory, and if both meanings would be the same then the Prophet ﷺ would not have clarified to the questioner what he asked him about and this is what no Muslim is allowed to believe.

[6] Ṣaḥīḥ al-Bukhārī 4647

[7] Ṣaḥīḥ Muslim 360

The Structure of Orders

The structure of obligatory orders are two:

The first is the form of: "do! (singl. ifʿal)," and the form of: "do! (pl. ifʿalū)."

The second is the form of a khabar (statement/predicate) either with a verbal sentence (jumlah fiʿliyyah) which necessitates a subject (fāʿil) and object (mafʿūl) or a nominal sentence that consists of a subject (ibtidāʾ) and predicate (khabar).

Examples for the first category are obvious.

As for the second which comes with the wording of a khabar and a verbal sentence (jumlah fiʿliyyah).

That is such as when Allāh said, "Say, 'My Lord has only forbidden immoralities - what is apparent of them and what is concealed.'" [Al-Aʿrāf: 33]

And as Allāh said, "Indeed, Allāh commands you to render trusts to whom they are due." [Al-Nisāʾ: 58]

And as Allāh said, "Decreed upon you is fasting." [al-Baqarah: 183]

And as Allāh said, "Decreed upon you is Battle." [al-Baqarah: 216]

And as Allāh said, "Prohibited to you are your mothers." [Al-Nisāʾ: 23]

And as Allāh said, "It has been made permissible for you the night preceding fasting to go to your wives." [al-Baqarah: 187]

The one ordering is Allāh as the revelation comes only from Allāh.

As for what has come from this category as a nominal sentence that consists of a subject (ibtidāʾ) and predicate (khabar).

That is such as when Allāh said, "So its expiation is the feeding of ten needy people." [al-Māʿidah: 89]

And as Allāh said, "The penalty is an equivalent from sacrificial animals to what he killed." [al-Māʿidah: 95]

And as Allāh said, “And whoever kills a believer by mistake - then the freeing of a believing slave and a compensation payment [diyah] presented to his [i.e., the deceased's] family.” [Al-Nisāʾ: 92]

And as Allāh said, “And those who are taken in death among you and leave wives behind - they, [the wives, shall] wait four months and ten [days].” [al-Baqarah: 234]

And as Allāh said, “Divorced women remain in waiting [i.e., do not remarry] for three periods.” [al-Baqarah: 228]

And as Allāh said, “And [due] to Allāh from the people is a pilgrimage to the House.” [Āl ʿImrān: 97]

There is no way for orders to exist and obligatory rulings except in these manners.

The last type seems like a predicate (khabar), conveying merely information and not an order while it is in reality a predicate (khabar) conveying an order.

What distinguishes this last type from being a mere khabar that conveys nothing but information from the khabar that conveys an order is such as in the saying of Allāh, “But whoever kills a believer intentionally - his recompense is Hell, wherein he will abide eternally.” [Al-Nisāʾ: 93]

This is of the same state as the saying of Allāh, “And whoever kills a believer by mistake - then the freeing of a believing slave and a compensation payment.” [Al-Nisāʾ: 92]

They are the same in the aspect of the manner the order came. Except that the khabar of one of them conveys the mere meaning of information with no order and the other khabar conveys the meaning of ordering something. We only know this because recompense with jahannam in the saying of Allāh, “Then his recompense is Jahannam,” it is not possible to be ordered with this because that is not within our ability and Allāh has assured us not ordering us with what we are unable to. So because of this we know that this one is a khabar conveying a mere information. And as for the other which is freeing a slave and handing over the diyah, then this is with what we are able to

and it is that which Allāh does not do without an intermediate doer for that among us. So by this the difference becomes clear between the khabar (predicate) that conveys an order from that which is a predicate (khabar) that is merely an information and not something we have to carry out.

Another example which makes clear the difference between a khabar with the mere meaning of conveying information and a khabar conveying an order is the verse of Allāh, "Whoever enters it is safe." [Āl ʿImrān: 97]

This is not a khabar that merely conveys information

The first reason is the other text, "And do not fight them at al-Masjid al-Ḥarām until they fight you there. But if they fight you, then kill them." [al-Baqarah: 191]

So it is not a khabar because we are ordered to fight there who fights us. And it is known with necessary knowledge that many bloodshed took and takes place there by Ḥusayn ibn Numair, al-Ḥajjāj ibn Yūsuf ibn al-Afṭas al-ʿAlawī and the Qarāmiṭah.

So it is established that the verse, "Whoever enters it is safe." [Āl ʿImrān: 97]

Because of this is, it is a khabar conveying and obliging an order.

And that is why we say that ḥudūd, imprisoning, taʿzīr, qiṣāṣ and others are all not permissible in the ḥarām. Because the Prophet ﷺ also said in an authentic narration that the ḥaram is not permissible for anyone after him till the day of judgment[8].

So what comes from orders and prohibitions in this manner then it is obligatory forever as long as there has not come another naṣṣ that it is mansūkh, makhṣūṣ or recommended or some manners that take it out from obligation which will be clarified in another place.

As for mere recommendations that come from other than orders, they are what comes with the words, "if/would that (law)," or

[8] Ṣaḥīḥ Muslim 1355

with a praise for the doer or the action, such as the saying of the Prophet ﷺ, "This tribe of the Quraish would kill (people) of my Ummah," then the prophet ﷺ said, "if the people would remain aside from them."[9]

So this is a recommendation to leave fighting with the mutaʿawwilīn among them.

And such as the saying of the Prophet ﷺ, "If you would take ghusl."[10]

This alone is a recommendation but we oblige ghusl for jumu'ah for another narration that comes with the wording obliging.

As for praise it is such as the saying of Allāh, "Within it are men who love to purify themselves; and Allāh loves those who purify themselves." [al-Tawbah: 108]

These are recommendations that come from the mere words that are not orders, there is in it urging and encouraging.

And such as the saying of the Prophet ﷺ that saying, "Lā ḥawla walā quwwata illa billahi al-ʿAlī al-ʿAẓīm," is a treasure from the treasures of Jannah[11].

These are recommendations not obligations. This is known by their form/structure in the language and its arrangement, and with a necessary knowledge by which it cannot be understood otherwise.

As for amr al-ibāḥa (an order in which it is allowed to choose one of the choices presented) then it comes with the wording, "or (aw)," such as the saying of Allāh, "A ransom of fasting [three days] or charity or sacrifice." [al-Baqarah: 196]

And such as the saying of the Prophet ﷺ, "Whoever performs this prayer of ours with us here, then remains with us, and had already stood at ʿArafah before that, by night or by day, then his Ḥajj has been completed."[12]

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[9] Ṣaḥīḥ Muslim 2917

[10] Ṣaḥīḥ Muslim 847

[11] Ṣaḥīḥ Muslim 2704

[12] Al-Mujtaba 3039

Then it is allowed to choose any of the options and it is obligatory to choose one if it has come in the pattern of an order as mentioned before.

As for the words that come as, “There is no sin/harm (La Ḥaraj),” and, “There is no blame (La Junāḥ),” these indicate permissibility in their essence, there are dozens of verses with these wordings.

The words, “Upon you (ʿAlayk),” obliges the order as an obligation in the language. And the words, “For you/us (lakum, laka, lana),” and “Ṣadaqa,” all are recommendations only because its meaning is gifting and gifts are not obligatory.

The Obligation of Hastening Performing the Orders

It is obligatory to perform the obligations as soon as possible, except if there is a naṣṣ that allows delaying, then it is allowed for that case specifically.

The decisive evidence for this is the saying of the Prophet said, “Don't you know that I commanded the people to do an act, but they are hesitant.”[13]

This also clarifies that his orders are upon obligation and must be done as soon as possible.

And another decisive evidence is that we ask them: What is the meaning of disobedience? There is nothing possible except that disobedience is not fulfilling what is ordered, this obliges then obedience to occur the moment it is ordered.

And the Prophet ﷺ ordered the companions at al-Ḥudaybiyyah and the companions did not follow his order immediately and the Prophet ﷺ was angered by it[14], so hastening is obligatory.

And Allāh said, “And hasten to forgiveness from your Lord.” [Āl ʿImrān: 133]

We have previously clarified that orders are obligatory so we are ordered to race to the good and to hasten to what necessitates forgiveness then the obligation of hastening without delay to what we are ordered the moment the order comes is established.

If it is said, “Allah only ordered seeking forgiveness here, not hastening towards doing the actions.”

The answer: Forgiveness does not come except through the actions that bring forgiveness from Allāh so the meaning of the verse is then only hasten to the actions that necessitate forgiveness from your

[13] Ṣaḥīḥ Muslim 1211

[14] Ṣaḥīḥ Bukhārī 2731, 2732

lord as there is no way to hasten to forgiveness except by that, it is not in our ability to seek forgiveness without an intermediate act and no one is recompensed except in accordance with their actions.

All Orders Have Times

Every single order that exists in the book of Allāh and the Sunnah of the Messenger ﷺ have times for their orders, this is known by necessity and the senses because it must be performed at a time. The times for orders are of three types only, there is no fourth category at all:

The first are orders for which there is no text about it having a beginning time and also no ending time, this is every single order that exists that is merely ordered, these orders must be performed the first time a person is able to because he otherwise disobeys that order and disobedience to orders is a sin and as clarified in the chapter before this one. And if it is not done the first time the person is able to then the obligation remains, and is not removed, he is in a sinful state as long as it is not performed even if years pass.

The second type are orders that have a specified beginning time and have no specified ending time. For these orders when it begins it becomes obligatory and must be performed, if it is not done, and delayed, then it remains obligatory no matter how many years pass by. Such as prayers missed because of sleep, its beginning time is whenever a person wakes up and if it is not done, then it remains obligatory because it has no specified ending time, only a beginning time and such as zakāh, it has a beginning time which is the passing of one year, not before that, and then when its obligation enters it has no ending time, it remains obligatory forever to pay it no matter what happens to the property afterwards, it is a debt. So every single order that exists that has no ending time specified is an order that is obligatory forever, and a person is sinful as long as it is not done.

The third type are orders that have a beginning and also ending time specified by the texts, for these orders delay between the beginning and ending time is allowed no matter how late it is as long as it is before its ending time, because there is no disobedience to the order except after its ending time, an example for this are the five prayers and whenever one of the prayers is missed because of sleep or

forgetfulness then that prayer replaced by an order without an ending time and that order is of the second type which must be performed forever.

By understanding that by necessity all orders have times, it becomes clear that for orders that have an ending time, it is not possible to perform them outside their ending time and also not before their beginning time if that order had a specified beginning time.

Because before the time of the order it was not obligatory, the order did not take place at all, and after the time of the order, it is nothing as well, not an order, so the one doing it outside its time is not performing an order that is performed at all, it is not invalid whatsoever, before its beginning time and after its ending time it is not ordered. Which is why making up missed prayers on purpose is all false.

Then there are cases in which a person is ordered in specific cases to make up that obligation such as when a person sleeps past a payer or forgets or has to urinate. Then these are specific orders that for which the prayer that must be done has no ending time so it must be done forever.

Those who claim that it is valid and obligate to make up orders that have an ending time outside their ending time, they claim that these are debts of Allāh so they must be made up.

This is false because obligations itself are not debts, it is false to claim that obligations itself are debts. Debts are only what is obligatory after its time ended so another obligation came to perform it additionally even after its ending time. So a debt is an additional obligation of which the time extends till the one repaying it has fulfilled. So it has a beginning time without an ending time. But as for the prayers they have a beginning time and an ending time for their obligation, once the time ends the obligation ends so it does not remain an obligation, so it is not a debt and there is no order to make it up so it is not a debt at all from any aspect.

And whoever rules making it up because of resembling it to debts then he obliges himself to allow performing the prayers before their beginning times and likewise to allow paying Zakāh before their times and like this for fasting before Ramaḍān. With debts it is only possible to pay the debt before the specified time or after its time if the creditor allows it, for the prayer and others there is no text allowing such delay so it is then invalid from every angle to allow making up missed obligatory prayers.

If an order is connected to a specific manner then that ordered act can never be valid except if it happens in the manner it is ordered.

Such as praying with stolen clothes while knowing that and knowing it is not allowed, or slaughtering with a stolen knife or slaughtering the animal of someone that did not allow it, or wuḍūʾ from a gold vessel. All of such are invalid because the act that is ordered is not the act that is prohibited.

If it is said, "What if someone divorces in a place that is stolen or emancipates a slave in a prohibited slave or teaches with a stolen muṣḥaf."

This is all not part of what we just mentioned because emancipating, divorcing, selling, gifting and charity are all words that do not require a place as obligation they are not a condition or what these actions necessitate, so teaching the Qurʿān is not connected to the muṣḥaf and the same for emancipating it is not connected to a place and in the same manner for everything else. So no action can be fulfilled except in the manner Allāh ordered it or in the manner he allowed it, not in the manner he prohibited it.

Every action of which its validity is made to depend on what cannot be done in a valid manner then that action is never valid at all. And everything that cannot take place except by the existence of what does not exist then it does not exist. And everything that cannot be obtained/reached except with a prohibited act then that is prohibited forever. And everything of which its existence/cause cannot be except

by that then that is invalid forever. These are known by a necessary knowledge whoever opposes this is a sophist.

This is the meaning of the Ḥadīth, “Whoever does an act that is not upon our order it is rejected.”[15]

This is the reason that doing the actions ordered for the prayer not in the manner it is ordered makes the prayer invalid if it is on purpose.

If it is said, “Is then every prayer in which a person sins invalid such as debts due on him especially as you oblige prohibiting the munkar evening prayer.”

Sins such as having debts due do not invalidate the prayers because with such there is no movement or action done for which that sin is connected to that action, so it does not invalidate the prayer and is not a condition.

With prohibiting the munkar we only mean cases of necessities such as when there is a fire and a person must be saved or there is an oppressor oppressing people which must be stopped, because this is a case of necessity and necessity allows it stopping this in the prayer then continuing. Whoever does an act that is not upon our order it is rejected.

When we say a prayer is invalid if it is prayed in a stolen place or if something is done that is ḥarām that it invalidates prayer, this is only because prayer obliges movements for the validity of the prayer, if these movements are connected to the validity of the prayer, if these movements are not done as it is ordered then the prayer is invalid.

And likewise if slaughtering is done with a stolen knife or a stolen animal. Then the slaughtering is invalid and the animal must not be eaten because the validity of a slaughtering depends on what slaughters the animal.

So if a thing is ordered and its validity is connected to something, then the validity depends on what it is connected to and if

[15] Ṣaḥīḥ Muslim 1718, 18

that is not done as it is ordered then the ordered thing is also invalid and is then rejected.

And likewise this is the reason conditions not in the book of Allāh invalidate a nikāḥ, invalidate a sale and invalidate contracts. Because the Prophet ﷺ declared every condition not in the book of Allāh as false, then if such a condition occurs in the nikāḥ contract or in a sale and other contracts then the act of the contract is false because it is not an act that is upon what is ordered so it is rejected as what its validity was connected to is invalid.

A Prohibition is the Same an Order

A prohibition (nahī, whatever is ḥarām) corresponds in meaning to an order (amr), because a prohibition is an order to abstain; and abstaining from something is the opposite of doing it. And a prohibition of a thing is not an order to perform its specific opposite (ḍidd al-akhaṣṣ) or its more general opposite (ḍidd al-aʿamm). The meaning of the specific opposite is that which contradicts it within the same type. And the meaning of the general opposite is that which contradicts it within the genus. So when you say to someone: "Do not move," you have necessarily obliged him to remain still because there is no intermediary between a general opposite and its opposite; whoever exits from one of the two necessarily enters the other.

As for when you prohibit a person from one type of movement, that is not an order to perform its opposite. For example, if you say to someone, "Do not stand," you have not by that ordered him to sit necessarily because between sitting and standing there are intermediates such as bending slightly, bowing, prostrating, leaning, or reclining. Whichever of these he does, he is not disobeying you in your prohibition of standing.

Likewise, if it is said to someone, "Do not wear black," this does not entail that he must wear white. Rather, if he wears red, yellow, or green, he is not thereby disobedient, but rather obedient in abstaining from black. And with Allāh, the Exalted, lies all success.

As for the order (amr), it is a prohibition from doing everything that contradicts the ordered act, whether its specific or general opposite. Because when you order someone to stand, you have by that prohibited him from sitting, lying down, bending, inclining, or prostrating and from every posture other than standing.

This is because refraining from many different actions at the same time necessarily exists (by necessity); because when a person stands, he has in doing that already refrained from everything that opposes standing as we have explained in the case of his standing.

As for performing many different actions at one time while they are different while negating each other and contradictory that is impossible and cannot be done. Do you not see that when a person travels, he walks only in one direction, thereby abandoning every direction other than the one he has taken? It is impossible for him to move in two directions at the same time by the same act.

The structure of a prohibition (nahī) also differs from the structure of a command (amr) in another respect: When a prohibition is expressed with the wording ‘or (aw)’, it indicates a prohibition of all the mentioned things. For example, the saying of Allāh, the Exalted, “And do not obey from among them any sinner or disbeliever” [al-Insān: 24]

And likewise your saying, “Do not kill Zayd, or ʿAmr, or Khālid.” This entails a prohibition from killing all of them. But when an order comes with the wording ‘or (aw)’, it indicates a choice between the mentioned options such as the saying, “Eat dates or dried dates or meat,” or “Take this or that.”

An Order Does Not Have to be Repeated

Fulfilling an order once suffices for the obligation because he has deserved the name obedient to that order and the name disobedient is not applied to him.

If it is said, “Then why do you not say that when a person avoids any prohibition that it sufficed and that he afterwards does not have to do avoid the prohibition?”

The answer: That is because we do not say this about all orders in general, but only orders which do not necessitate a repetition so all orders that do necessitate it such as the order to visit a sick Muslim, freeing the Muslim prisoner, feeding the hungry, taʿawwudh when reciting the Qurʿān wuḍūʾ for prayer and so on, these are all orders about situations that necessitate that they will take place again. For such orders it is obligatory to do them whenever it takes place because the order is linked to the situation and that situation takes place again.

But as for orders such as sending ṣalāh upon the Prophet ﷺ as in 33:56 these orders are not linked to situations so fulfilling them once fulfills the obligation forever and by doing them once the one doing it gets the name obedient and fulfills the obligation and whoever obliges more claims falsehood without evidence and transgresses the limits of Allāh.

Then prohibitions are obligations to avoid and they are always inherently such that whenever ordered a person is necessitated to avoid them forever they are linked just as the first type of orders.

Because avoiding multiple things at the same time is possible and performing an order can only be done one at a time.

A prohibition is an order to avoid and avoiding is possible by anyone no creation is unable to avoid, as for doing an action that is an order is different, some of it is capable by some and some is not.

And avoiding many actions at the same time is not only possible but occurs. And performing an act is different.

A person while he sleeps, eats and looks abandons everything he is prohibited.

The order is not like that because he is not able to perform more orders in the states mentioned.

Repeating an order is invalid because repeating implies a taklīf that cannot be endure.

Choosing Between Obligations

In orders in which there is an order given to choose between matters Examples for this is the kaffārah of yamīn, the kaffārah of shaving in Ḥajj before slaughtering and for sickness or pain on the head, and for the compensation of hunting in Ḥajj and so on.

It is only obligatory to choose one of the obligations mentioned, it is not obligatory to do all of them.

Because ‘aw (or)’ does not oblige equalization to what it is associated/conjugated with this only occurs with the letters ‘wāw’ ‘fā’’ and ‘thumma’.

Choices are of two types: The first type is what I just mentioned that a person is obliged to choose. The second type is when it is said to a person, “If you want to do this and if you want do not do it.” This type cannot be an obligation and cannot be except voluntary because everything permitted for a person to abandon is voluntary

The Ranks of the Sharīʿah

They are five: Ḥarām, which is followed by makrūh. Then farḍ which is followed by nadb. Then between nadb and karāhah is an intermediary which is ibāḥah.

Ḥarām is what is not allowed to do, the one abandoning it is rewarded and obedient and the one doing it is a sinner and disobedient.

Farḍ is what is not allowed to abandon and the one doing it is rewarded and obedient and the one abandoning it is a sinner and disobedient.

Makrūh is what does not make the one doing it a sinner and also does not reward, and if he abandons it, he is rewarded.

Nadb is what if a person does, he is rewarded and if he abandons, he does not sin and is not rewarded ibāḥah is what if a person does he does not sin and is not rewarded and if he abandons it he does not sin and is not rewarded such as dying the clothes green or yellow.

When a prohibition is abrogated, if it is abrogated by an order, it becomes obligatory to do it after it was before that ḥarām, because it is replaced by an order.

If there is an action of him ﷺ of the act after he ﷺ prohibited that then it moves to ibāḥah only and the prohibition is then makrūh and if he does opposite to the order, then it recommended. Just as his order ﷺ when he prayed sitting that the people behind must pray sitting. This is only when it's certain which one was before and which one was after, if that is not known then it is obligatory to take from the additional ruling and to make exception in the manner clarified previously.

Examples of orders being taken upon recommendations because of after it coming an action from him ﷺ changing its obligation is such as when Allāh ordered, "But when you come out of iḥrām, then hunt." [al-Māʿidah: 3]

But the Prophet ﷺ in his last Ḥajj did not hunt after exiting Iḥrām. So it is only recommended not obligatory.

And such as when the Prophet ﷺ ordered when the Imām sits to pray behind him sitting[16]. But then later he ﷺ prayed while he was ill which was the illness he died in sitting with the people behind him and Abū Bakr was next to him standing[17]. So the prohibition to stand, is recommended for the mudhakkir.

And also when the prophet ﷺ first prohibited making nabīdh then he ordered making nabīdh[18]. And this order is only recommended because afterwards nabīdh would be made for him and he did not make it so it's not an obligatory order.

This is not the only way an order can be recommended. It can also by indication of other texts, so it is not a condition for an order to be recommended that the indicator comes after the order, we mentioned.

Such as when Allāh said, "And when the prayer has been concluded, disperse." [al-Jumuʿah: 10]

This order is not obligatory because of the saying of the Prophet ﷺ the angels do not cease praying upon the person as long as he is in his place of prayer as long as he does not remove his ṭahārah[19].

So spreading is then allowed except if there is removal of ṭahārah or another obligation.

And such as the Ḥadīth indicating that none other than the five prayers are obligatory even if they are ordered[20]. So the prayers that are ordered in the narrations other than the five prayers are not obligatory.

As for when there are no such indications all orders are obligatory. Such as the saying of Allāh, "So now have sexual relations with them and seek that which Allâh has ordained for you (offspring),

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[16] Ṣaḥīḥ Muslim 417, 89
[17] Ṣaḥīḥ al-Bukhārī 683
[18] Al-Mujtaba 5654
[19] Ṣaḥīḥ Muslim 649
[20] Ṣaḥīḥ Muslim 11

and eat and drink until the white thread (light) of dawn appears to you distinct from the black thread." [al-Baqarah: 187]

So eating and drinking is obligatory and also intercourse, what clarifies the obligation of eating further is the prohibition of wiṣāl[21].

And also when Allāh ordered to spread after having eaten in the house of the prophet ﷺ, "And when you have eaten, disperse." [Al-Aḥzāb: 53]

This is obligatory.

[21] Ṣaḥīḥ Muslim 1102

When are Orders for Men and When are They For Women?

An address with the male plural is for men and women. And a singular address, whether to one man only or to one woman only applies for everyone, men and women. But as for the plural address for women only that applies for women only.

In the Arabic language when men and women together are addressed then it is with the male plural.

And Allāh said, “And verily, this is a revelation for you and your people.” [Al-Zukhruf: 44]

So it is a revelation for him and his people.

And Allah said, “And warn your tribe of near kindred.” [Al-Shuʿarāʾ: 214]

So the Prophet ﷺ called the tribes of Quraysh one by one, then he ﷺ said, “O Ṣafiyyah bint ʿAbd al-Muṭṭalib, o Fāṭimah bint Muḥammad.”[22]

So he ﷺ made women part with men in address as you can see.

And the Prophet ﷺ was asked about which people are most loved to him, then he said ʿĀʾisha then he was asked, “From men?” he answered, “Her father.”[23]

So as you can see the Prophet ﷺ took it from the apparent and made women part with men till the questioner told him that he intended some of what occurs on the name/word he addressed with.

And Umm Salamah who is a ḥujjah in the language understood that when men were addressed that she was also addressed by it[24].

So as you can see women are part of the male plural address by the language and texts. As for the plural for women, there is no difference in the language that it is only for women. And as for one

[22] Ṣaḥīḥ Muslim 206

[23] Ṣaḥīḥ Muslim 2384

[24] Ṣaḥīḥ Muslim 2295

man being addressed and one woman then it applies for everyone, this is all part of the chapter whether a ruling for one person applies for everyone and this is clarified in the next chapter by the will of Allāh.

The Prophet Ordering One Person is an Order for Everyone

The decisive evidences for this are that the Prophet ﷺ is sent for all mankind and jinn. And the Prophet ﷺ is sent till the day of judgment. And it is not possible to witness him ﷺ after his death. So whatever ruling he addressed to one, no matter who, it is for everyone. It is not a condition for an order to be plural for it to apply for everyone. That is a claim without evidence.

And also the Prophet ﷺ said, "Jibril came to you to teach you your religion."[25]

This is another decisive evidence that the Prophet ﷺ addressing one person in which he clarifies and teaches, it is an address to the entire Ummah till the day of judgment because that narration has only come with teaching one person in his saying, "That you (singular) worship Allāh as if you (singular) see him."[26]

So only when the Prophet ﷺ clarifies that a ruling applies only to 1 person only then is it specific to that one person only.

Such as he did with the jadhaʿah with Abī burdah ibn Niyār and he ﷺ told that it would not suffice anyone after him[27].

And his ﷺ order to one woman with istiḥāḍah was an order for everyone with istiḥāḍah[28].

Then if it is known by necessity that it can only apply to one gender, it applies only for one gender.

And the Prophet ﷺ placed ibn ʿAbbas and in another case Jābir, during the prayer to his right is a ruling for everyone praying alone with the Imām[29].

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[25] Ṣaḥīḥ Muslim 8
[26] Ṣaḥīḥ al-Bukhārī 4777
[27] Ṣaḥīḥ Muslim 1961
[28] Ṣaḥīḥ Muslim 333, 62
[29] Ṣaḥīḥ Muslim 763, 3010

And in the verse, “And your Lord has decreed that you worship not except Him, and to parents, good treatment. Whether one or both of them reach old age [while] with you and do not say to them ‘Uff’.” [Al-Isrāʾ: 23]

Allāh began with plural, a group, then he addressed one and it is established that the intend of this address is every single Muslim.

An Order Without a Reason Mentioned for that Order

If there is a ruling in the texts with an order it is obligatory to rule that matter as it is ordered without transgressing and it is not allowed to claim that whatever was ordered maybe was only happened because of a certain reason and by that specifying the ruling only for that reason, these are all mere assumptions without any evidence about the religion that are not allowed. The only valid obedience to text is to take the order as it came in the text from its generality without specifying it to a certain situation, time or reason, if it would be obligatory to take any of these into consideration then a text would have come clarifying it. And as that is not the case it is obligatory to take it as it came.

Such as when he ﷺ saw a man pray alone behind the rows, then he ﷺ ordered him to repeat his prayer[30].

So it is not allowed to add and claim, "Maybe he ﷺ only ordered him not because he was alone but because of another reason."

And likewise for every single order, "Maybe so-and-so happened."

And what is not allowed is to claim rare possibilities, for example the narration in which the Prophet ﷺ prohibited isbāl, then Abū Bakr did it, so it is not allowed to claim, "Maybe Abū Bakr only did it accidently."

Not only is it a rare possibility which is not allowed to claim about the orders, and the Prophet ﷺ only said to Abū Bakr, "You are not among those who do it with arrogance."[31] He did not say, "You only did it accidently."

And also otherwise it would be allowed for everyone to claim about narrations in which the Prophet ﷺ specifies something because

[30] Sunan Abī Dāwud 682

[31] Ṣaḥīḥ al-Bukhārī 3665

of acknowledging it that, “Maybe he did not acknowledge it but it was merely an accident by that person.”

Another example is when al-Faḍl ibn ʿAbbās looked at the woman and found her attractive, it is not allowed to claim that he did not see her face and it is not allowed to claim that maybe she only accidently showed it as the texts of the narrations indicate that he persistently looked and if it was an accident the texts would have come in accordance to that.

And likewise for tafsīr of the verses of Allāh, it is not allowed to specify it for whatever has been said by other than the Prophet ﷺ about those verses, all of it is attributing to the religion what is not part of it without evidence. Then how when it is not allowed to specify it if there is an authentic narration from the Prophet ﷺ regarding them? Except if there is clarification in the words of the Prophet ﷺ for specifying it. Or if there are other texts in other places necessitating specification of it.

Ziyādah al-Thiqah

If a thiqah narrates an addition (ziyādah) whether in meaning or in wording, or less in meaning and less in wording but more general, then whether he is alone (has infirād) in narrating it or others narrate it also with him, and even if those that are more reliable than him do not narrate his addition which is more general in meaning, then it is obligatory to take from his addition. There is no difference between a thiqah transmitting a ḥadīth that no one else has transmitted, or it being transmitted by others in a mursal form, or being transmitted by weak narrators; and there is no difference if the thiqah narrator transmits an additional wording that no other narrator of the ḥadīth has transmitted. These are all the same in that it must be accepted because we are obliged to take what they bring to us from the Prophet ﷺ and it is not allowed to hesitate in that at all, this is all of the same chapter as taking from the khabar al-wāḥid from the thiqāt without difference. We do not care if someone else transmitted the same or did not transmit it, none of that decreases the validity of what this thiqah narrator came with.

If the additional wording that is narrated is lesser in meaning than what has come about that narration through other ṭuruq, then the obligation is not to take the additional wording but what is more general, this is what we mean with taking from the addition (ziyādah). Because of the decisive evidences preceded in taking everything that has come in the religion upon generality by default.

The addition, which is the ziyādah, is the sharʿ, not the additional wording that is lesser in meaning. So, if a thiqah narrator transmits a wording that has an additional ruling that no one else transmitted, or if he transmits it and others do not, or if he transmits a general statement in which there is an additional ruling while others transmit a wording that omits that ruling, the obligation is to take the additional ruling always. This is because it is a revealed ruling whose obligation remains for us, and we are ordered to act upon it, and its

abrogation or omission has not been established. It is not permissible to abandon certainty for conjecture. Whoever claims that that sharīʿah, whose matter of Allah ﷻ has been established for us, has been abrogated, and that the ruling has returned to what we were upon before the coming of that sharīʿah, he is a fabricator against Allah. Abrogations are only established in the manner clarified and all praise is for Allāh.

Such as it is narrated from the prophet ﷺ the prohibition of silver vessels in general[32]. Then some narrate the prohibition of drinking from silver vessels[33]. The mention of drinking is lesser in meaning than the other narration in which is generalization of the prohibition of silver vessels, so this wording even if has an addition in words by adding drinking specifically to it, it is still less in meaning and the other narration even if it is less in words it is more in ruling and meaning so that must be taken because the narration mentioned is only some of the other and part of the other. And the same applies to the narrations about Zakāh on grazing livestock, but then the narration about non-grazing livestock.

So the one that takes from the more specific only is disobedient to the other narration and abandons it without evidence. Because he gives Zakāh to the grazing only and abandons the non-grazing and abandons with the other obliges. And when he only avoids with silver vessels drinking then he disobeys the other text and permits what is prohibited and that is not allowed because one of the two is not more deserving of obedience than the other and there is not in one of them that invalidates, omits or negates the other.

[32] Ṣaḥīḥ Muslim 2066

[33] Ṣaḥīḥ Muslim 2027

Two Different Rulings in Two Narrations But They Are in Reality One Narration

Before I clarified that the ziyādah of the thiqah must be taken and that always the general orders must be taken. Such as that it is narrated from the Prophet ﷺ that he prohibited silver vessels in general[34]. Then it is narrated through another ṭarīq that he ﷺ prohibited drinking from silver vessels[35].

The ziyādah must be taken as long as the following does not take place, to clarify this I will mention what Abū Hurayrah narrated, "A man broke his fast during Ramaḍān, so the Messenger of Allah ﷺ ordered him to free a slave, or to fast two consecutive months, or to feed sixty miskīns."[36]

So as you can see the obligation of kaffārah came about breaking fasts here in general.

Then it is narrated, about this man more specifically that he had intercourse[37]. The aṣl is taking from the most general rulings, that is the ziyādah we mean when we oblige taking from the ziyādah of the thiqah. But in this case this is not allowed, because it is established that this narration is about one man, about the same situation, and same story. So it is established that only the most specific detail is the correct one as that clarifies what exactly happened in this one situation.

Ziyādah of the thiqah is only taken if the rulings are from different situations. If not then in such cases if the person is the same, it is the same incident, about the same story, siyāq of the two narrations is the same then the addition is only a clarification of what exactly happened, and it is then not allowed to take the addition, the more

[34] Ṣaḥīḥ Muslim 2066
[35] Ṣaḥīḥ Muslim 2027
[36] Sunan Abī Dāwud 2392
[37] Ṣaḥīḥ al-Bukhārī 1936

general because the more clarified text is what actually took place in this narration, it is then a lie to take the general and abandon the clarified narration.

And an example clarifying this more is that some people that prohibit wiping on the ʿimāmah and say, “The mention of wiping on the ʿimāmah is together with what is mentioned what is mentioned about wiping on the forelock and ʿimāmah so its all one narration about the same thing.”

Such is false because the Prophet ﷺ did not do wuḍūʾ once but thousands of times so whoever claims that this is all about the same incident, same time has claimed falsehood.

Orders Being Connected to Non-Obligations

Obligatory orders can be linked to non-obligations and non-obligations can be linked with obligations. The aṣl in this is that all orders remain obligatory, except what exits from that with evidence. And if from the linked orders some exit evidences which we mentioned away from obligation, then the others remain on their ruling. And it does not matter where the order that is different is in the text, in the beginning in the middle or the end, all of that is the same. Even if one ruling of those rulings are abrogated then the remaining remain as they are.

A few examples for this is the Ḥadīth of the Prophet ﷺ, "Make Nabīdh and do not drink the intoxicating."

The first order is recommended and the second is obligatory.

And such as the verse, "Then Proceed to the remembrance of Allāh and leave selling." [Al-Jumuʿah: 9]

Proceeding to the remembrance of Allāh is only obligatory for men while that does not prevent that the obligation of leaving selling does not apply for women, it is instead general for men and women.

ʿUmūm: Taking All Orders From Their Generality

The truth in this matter is that all words must be by default taken upon their generality (ʿumūm) and that means understanding it upon everything that word is arranged in the language from its meanings that occur under it. There must be no tawaqquf, and only if there is an external evidence found obliging taking it out from its ʿumūm to some of what the word necessitates then that must be taken.

One group says, "Words are not taken except upon specification and that means understanding them upon some of what their words mean in the language, not all."

Another group says, "We do not take it upon generality and also not upon specification except with evidence."

Then a group says, "The default before taking any words is to look whether the words are specific or not, if evidence for that is found that is taken but otherwise the words are upon generality (ʿumūm)."

They argue by saying, "If words would imply ʿumūm by their mere structure/form (ṣīghah) then they would not exist except in that manner always, just as the word black can never occur on white. So when we find words which the apparent of is ʿumūm and the intend of it is khuṣūṣ we know that it is not allowed to understand them upon ʿumūm except with evidence."

The answer: This is a conclusion not based upon valid premises because the existence of words changed from their places in the language does not imply making that the default for every word.

And what invalidates this premise is that if this would be the case then because of the reason verses are abrogated, then no one is allowed to act upon any verse except with an evidence of acting upon a verse, and this then further invalidates acting upon everything because that evidence which is another verse indicating acting upon it

then also requires an evidence in order to act upon it so nothing can be acted upon.

And what also invalidates their premise is that black (sawād), does occur on other than the color black it can be said, "Fulanun aswadu min fulanin," with the meaning of siyādah, which means that a person is better in ruling than the other, this does not invalidate black from occurring on other than colors.

They also argue, "No saying exists except that it is specific not general so all sayings are only khuṣūṣ specific, especially as every saying is only intended for anyone that it reaches only not others."

This is false where are they with this about the saying of Allāh, "And He is the All-Knower of everything." [al-Baqarah: 29

And their saying that because a saying uttered is only addressed to whom it reaches not everyone, then this is not a valid premise because we do not mean with our saying ʿumūm (general) everything that exists in creation, we only mean with it what the word necessitates/means/implies. So these are all invalid sayings.

Our affirmation of 'generality' in the manner mentioned is based on the necessity of the ʿaql that language has assigned for every meaning in existence an expression that conveys it and enables understanding between speaker and listener. Because there exists genuses (the most general words such as 'the living,' then various anwāʾ (categories) come under it such as 'the angels,' 'mankind,' and 'jinn') that are general that include many categories, and general categories that include many individuals under those categories; they are being informed of and about, and rulings and obligations come about them. So it is with no way possible, except that there be must an expression through which one can speaking covers the entire genus that encompasses everything. There is no other way, otherwise speaking about any genus would be invalid and that is impossible.

And there are texts from the about taking from the generality, such as when the Prophet ﷺ spoke about treasure and zakāh on camels, cattle, horses, and weight. Then the Prophet was asked about donkeys

and he replied, “Nothing has been revealed to me regarding donkeys except this general verse only: ‘So whoever does good equal to the weight of an atom (or a smallest ant) shall see it; And whoever, does evil equal to the weight of an atom or a smallest ant) shall see it.’”[38]

If the revealed address would be upon tawaqquf or specification, until evidence is established indicating generality, then that evidence would by necessity, never be free from one of two possibilities with no third: either it is the words itself directly in that revealed address, or it is a meaning extracted from that address. If it is directly from the words itself, then this second address is just like the first, with no difference. Because if it indicates generality by itself, then the first one is of the same nature as the second. And if the first does not indicate generality by itself, then the second also does not. And if it is a meaning extracted from the text of that evidence, then it is impossible for the meaning extracted from the address to be stronger than the very address from which it was extracted. This necessitate an infinite series of addresses without end and that is impossible and it nullifies the possibility of understanding any address at all.

[38] Ṣaḥīḥ al-Bukhārī 4963

Clarifying ʿUmūm and Khuṣūṣ

Speech divides into three categories:

The first category is khuṣūṣ by which khuṣūṣ is intended such as saying ‘Zayd,’ and ‘ʿAmr,’ these are specific names that are intended for specific people that have that specific name.

The second category is ʿumūm by which ʿumūm is intended which is when everything a word necessitates it intended. In this category there is those words that are genuses (ajnās pl. jins) that encompass many categories (anwāʾ pl. nawʾ) such as the verse, “And we made from water every living thing.” [Al-Anbiyāʾ: 30]

Under the genus of living thing comes the category mankind, and also the category of all other animals.

And from this category is that it can be a word for a category such as the verse, “And horses, mules and donkeys.” [al-Nahl: 8]

These words are general for all horses, all mules and all donkeys, such words encompass their entire category.

And from this is that it can a category of a people of a description, such as the verse, “And for the near relatives.” [Al-Anfāl: 41]

This is general for all near relatives and applies for everyone on which this word occurs

And such as the verse, “Ṣadaqat (Zakāh) is only for the poor and needy.” [Al-Tawbah: 60]

This is then general and obligatory for every obligatory ṣadaqah and general for every/any needy and any poor person.

And the saying of the Prophet ﷺ, “This matter will remain with Quraysh as long as two people remain.”[39]

This is general for every Qurashī except what texts have specified out such as children and women and the insane, they are not part of it even if they are Qurashī as they are specified out.

[39] Ṣaḥīḥ Muslim 1820, 4

The third is the ʿumūm that the Qurʿān and Sunnah indicates that from it is something specified so the specified go out from that ʿumūm .

And from ʿumūm is for a joint (mushtarakah) word to occur on various different meanings in a mustawi manner in the language and the meaning of mustawi here is that it is ḥaqīqī and a ṣaḥīḥa naming (tasmiya) not majāziyah, so all meanings except for the metaphorical and contradictory ones. So if a word occurs on various different meanings it is obligatory to understand it upon all meanings that occur on that and it is not allowed to specify only some meanings to that word what that word occurs on because of the decisive evidences preceded on the obligation of taking from the ʿumūm.

This is why we say that the saying of Allāh, "Those that accuse the muḥṣanāt then do not come with four witnesses, lash them eighty lashes." [Al-Nūr: 4]

So we oblige the ḥadd of qadhf on everyone that accuses any muḥṣanah, on whatever the word muḥṣanah occurs from the chaste whether idolatresses or Muslimāt or the Married. So we oblige the ḥadd on man that is a qādhif (accuses) of a kāfirah and a child.

So these are the three categories by which speech is understood.

Then a group came with a fourth category naming it khuṣūṣ by which ʿumūm is intended, this is false and does not exist in the language and I will clarify this entirely in the chapters of qiyās and dalīl al-khiṭāb.

And the ruling of names is that every name in which the Prophet ﷺ ruled then it is for everything under that category on which that name occurs.

Everything mentioned here will become clear throughout the coming chapters by the will of Allāh.

When the Apparent/General is Not Taken

The manners in which names are changed/taken away from their places which change the orders from obligation to the other manners and from hastening to being allowed to delay and from their apparent to taʿwīl and from ʿumūm obliging everything the word necessitates to specifying some of what the words mean: This is a chapter in which a lot of confusion exists and the mistakes in it have become grave.

If I were to say, "This chapter is the roots of every mistake that occurs in understanding the sharīʿah," that would not be far from the truth, so we say by the praise of Allāh and his aid in it a clarification that will raise by the will of Allāh all problems.

Names changed from their meanings take place by four manners:

The first is using names/words of the Qurʿān and Sunnah only with some of their meanings, not all of them. This is an ʿumūm from which some is specified out.

The second is names/words are moved away from their places in the language entirely and are placed somewhere else such as how Allāh changed Ṣalāh away from meaning a duʿāʾ only to movements, recitations, facing a direction. And how He changed Zakāh away from meaning taṭahhur from filth to giving property and how he changed kufr from covering to rejection of Allāh, or his messenger or anything that comes from Allāh which the rejector knows is from him. And as he changed an order from meaning obligation to recommendation. And from this category is also istiʿārah such as the saying of Allāh, "Do whatever you want." [Fuṣṣilat: 40]

And the saying of Allāh, "Taste! Indeed, you are the honored, the noble." [al-Dukhān: 49]

And the saying of Allāh, "Say: 'Be you stones or iron.'" [Al-Isrāʾ: 50]

And the saying of Allāh, "Remain despised therein." [Al-Muʿminūn: 108]

The third is changing a khabar (predicate/statement) from something to something else because of the reason the one that is addressed with it would understand it such as the saying of Allāh, “And ask the city… And the caravan” [Yūsuf: 82]

Allāh only intended the people of the city and the people of the caravan, He placed the caravan and the city in the place “the people of” on behalf of it

And such as the saying of Allāh, “If you are sick or on a travel.” [Al-Nisāʾ: 43]

Allāh placed the mention of sick and travel on the place of breaking wuḍūʾ (ḥadath) because the meaning is only if you break the wuḍūʾ then do not find water then perform tayammum.

And such as the saying of Allāh, “That is the expiation of your oaths if you take an oath.” [Al-Māʿidah: 89]

So Allāh placed expiations on merely taking an oath, while expiation is only if the oaths are broken not on the one that takes an oath, and like this there are many verses.

And the fourth category is changing a word from being a ḥaqq (valid) that obliges in meaning to it becoming invalid or prohibited, and this is abrogation. Such as the change in the order of praying towards Bayt al-Maqdis to the order that that is not allowed now.

Abrogations are only a separate category because an abrogation is a change in the order after a time, so there are two different rulings with abrogations while with specifications or understanding an order upon recommendation, then the intended meaning was always the same so even if it is because of an external indication that external indication does not indicate that it was ever different even if it is an external indication that is revealed later because the intended meaning never changed, it would only be an abrogation if it changed in ruling, this will become clear throughout the coming chapters by the will of Allāh.

Now that I have mentioned the categories of words changing in meanings I will now mention by the will of Allāh the evidences by which the validity of these categories are known.

The decisive evidence that words change divides into two categories for which is no third: It is either Nature or Sharīʿah.

As for nature it is what the ʿaql indicates, the ʿaql obliges that the word is changed from its place in the manners mentioned before. Such as the saying of Allāh, "Those to whom the people said: 'The people gathered against you.'" [Āl ʿImran: 173]

It is established with the necessity of the ʿaql that the intended meaning is some of mankind not all mankind on earth because the ʿaql obliges with necessity that not all mankind on earth gathered in one place to tell them whatever they told them, And the ʿaql obliges with necessity that those that informed that the people gathered against them are not those that gathered to them and that those that gathered are not those that informed about the gathering.

And such as the verse, "Say: 'Be you stones or iron.'" [Al-Isrāʾ: 50]

We know with the necessity of the ʿaql that this is amr taʿjīz because no one is able to become stone or iron if it would be amr takwīn they would be that but as the ʿaql found them not becoming stones or iron it knows that it is taʿjīz.

As for Sharīʿah it is when a naṣṣ of the Qurʿān and naṣṣ of the Sunnah or anything comes from the Prophet ﷺ on one of the categories mentioned.

Just as when the Allah ordered, "And do not marry those [women] whom your fathers married." [Al-Nisāʾ: 22]

So besides this applying to fathers in the language. There are the fathers through breastfeeding as the Prophet ﷺ said[40]. So the name father moved to this meaning. Then there is another naṣṣ indicating that the name father moved to uncle. As Allāh mentioned those who said,

[40] Ṣaḥīḥ Muslim 1447

“We worship your Lord and the Lord of your fathers Ibrāhīm and Ismāʿīl and Isḥāq.” [al-Baqarah: 133]

Ismāʿīl was only an uncle not a father. And the name son in verse 23 of al-Nisāʾ changed to sons through breastfeeding. And then in both of these cases there is additional evidence that this does not imply that they have a share in inheritance because necessary knowledge obliges that the people died in the generation of the Prophet ﷺ and they had them through breastfeeding and none of them ever attained inheritance.

And just as with the verse about Ahl al-Kitāb giving the jizyah, as Allāh said, “Until they pay the Jizyah.” [al-Tawbah: 29]

Allāh said, “Al-Jizyah” with an alif and a lām, and this in the language is only for something known and it is established that the Prophet ﷺ ordered taking a dīnār from adult man and woman of them one dīnār[41], and it is known by necessity that this is not obligatory for everyone so it cannot be except the jizyah from Ahl al-Kitāb.

Witr is recommended because of the saying of Allāh the night when the Prophet ﷺ went on the night journey, “They are five and they are fifty the word does not change with me.”[42]

And because the Prophet ﷺ did nafl on his donkey and when he ﷺ wanted to do obligatory prayers he would come down and he did witr on his camel[43].

As for other matters such as spreading after the prayer if the wuḍūʾ is invalidated, seeking rizq, eating from the hadī and feeding from it and from the uḍḥiyyah these are all obligatory because there is nothing that takes the orders away from obligation.

As for Allāh’s order for the Ahl al-Nār to enter it burn, it is an coerced order from which is no escape.

As for Allāh’s order for Ahl al-Jannah to eat drink and accept the Naʿīm then it is an obligatory order for which is no way out for

[41] Sunan al-Kubrā by Al-Bayhaqī 7362, 8/59

[42] Ṣaḥīḥ Muslim 163

[43] Ṣaḥīḥ Muslim 700

them from accepting it choosing it, being delighted just as the angels do what they are ordered.

Claiming Rare Situations for Texts

From Falsehood is to claim rare reasons to invalidate the apparent ruling of the text. Such as when there is a narration in which is an obligation ordered and then there is another narration in which is an indication that the order is only recommended, it is then not allowed to claim that what caused it to be understood as recommended was only because of a necessity, or that it was done not on purpose. And the same when there is a general narration and then there is another narration making specification of that general narration, it is not allowed to claim that what caused it to be specified does not specify because maybe what happened in that narration was only out of necessity and not done on purpose and with that invalidating the takhṣīṣ or changing the obligation to recommendation. And the same if one narration abrogates another narration or verse. All of these are claims that did not take place in the narration, there is nothing indicating it, all of that would only be the case if it is established that it was because of a necessity, or that it was not done on purpose or if there is a necessary thing necessitating that, otherwise it is speaking about the religion without knowledge and without evidence and it remains a false claim.

Contradictions

If two Aḥādīth or two Āyahs, or an Āyah and a Ḥadīth that seem contradictory, then it is obligatory to use both of them, it is not allowed to abandon one for the other, as all of that is from Allāh, all of them are the same in the aspect of obedience to them. I will present here many examples of what exactly this contradictory is and the correct way to deal with them. Contradictions between two texts occur in four manners with no fifth to it.

The first is when One of the two texts is lesser in meaning than the other, so one of them is a prohibition and the other a permissibility. So one of the two obliges while the other negates. Then it is obligatory to make an exception for the lesser meaning from the larger meaning. And that is such as when the Prophet ﷺ ordered that one must leave the ḥarām till his last action is the ṭawāf[44]. But then there is the Prophet ﷺ permitting the menstruating women from leaving before they have to perform the ṭawāf[45]. So specification for the menstruating women is then made as permissible from the general people that leave for whom it is prohibited.

And such as Allāh making the women who breastfeed a maḥram as He said, “Prohibited to you are... your [milk] mothers who nursed you.” [Al-Nisāʾ: 23]

This is general, then there is the text in which no breastfeeding makes a maḥram except with five breastfeedings/sucklings[46].

So it is then obligatory to make an exception that below five, no maḥram is made and five and above remain upon making a maḥram.

Another example is Allāh prohibiting the disbelieving women in general when He said, “And do not have nikāḥ the mushrikāt till they believe.” [al-Baqarah: 221]

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[44] Ṣaḥīḥ Muslim 1327

[45] Ṣaḥīḥ Muslim 1328

[46] Sunan Abī Dāwud 2062 | Ṣaḥīḥ Muslim 1452

Then He permitted the chaste women from Ahl al-Kitāb by marriage, as He said, “Made permissible to you this day are… And chaste women from among those who were given the Scripture before you, when you have given them their due compensation.” [al-Māʿidah: 5]

So those women are then an exception from the general disbelieving women and the remaining disbelieving women remain upon prohibition.

And from this is also the saying of the Prophet ﷺ, “Your blood, your property, your honour are upon each other ḥarām.”[47]

Then the Prophet ﷺ ordered taking the Zakāh, Kaffārāt, ordered changing the munkar and he ﷺ ordered what he ordered about the zānī, the one consuming khamr so all of these are specifications permitting what is prohibited in that text and every other situation remain prohibited.

So here in this category specification is made of the lesser meaning from the larger meaning, a permissibility from a prohibition or a prohibition from a permissibility, and this occurs between Aḥādīth and verses, there is no difference between the two.

The second category is when one of the two texts oblige some of what the other obliges or prohibits some of what the other prohibits. This is only what some ignorant people assume to be a contradiction which is not a contradiction at all, this is such as the obligation of Zakāh of the Prophet ﷺ on grazing cattle[48]. But the Prophet ﷺ also ordered Zakāh on cattle in another place without adding “grazing.” And only mentioned “cattle.”

So some people assume that these two are a contradiction and claim that the intended meaning is that Zakāh is only upon the grazing cattle not non-grazing cattle.

This is false, the first is merely some of the second, part of its generality. Zakāh is obligatory on the grazing with the narration in

[47] Ṣaḥīḥ Muslim 1679

[48] Sunan Abī Dāwud 1567

which grazing is mentioned and with the second for cattle in general not specifying the grazing ones. We will clarify the obligation of ziyādah al-thiqah and when exactly the ziyādah of the thiqah is not taken by the will of Allāh in the coming chapters.

And from this category is that they assume that when Allāh prohibited blood that is spilled as He said in, “I do not find within that which was revealed to me [anything] forbidden to one who would eat it unless it be a dead animal or blood spilled out or the flesh of swine.” [al-Anʿām: 145]

That it contradicts the prohibition of Allāh to blood in general as He said, “Prohibited to you are dead animals and blood.” [al-Māʿidah: 3]

So they then claim that blood is only prohibited if it is spilled, not if it is not spilled. And this is false because there is not in the mere prohibition of Allāh of spilled blood any indication that non-spilled blood is permissible, instead all of it is prohibited by the other verse.

And likewise is the verse in which Allāh said, “And [He created] the horses, mules and donkeys for you to ride and [as] adornment.” [Al-Naḥl: 8]

So they assume that this contradicts the verse in which Allāh permitted for us everything except what he prohibited as He said, “He has explained in detail to you what He has forbidden you.” [Al-Anʿām: 119]

So they assume that Allāh merely mentioning them for us to ride and as adornment to prohibit eating them and selling them. This is false there is not in this text a prohibition from selling them and riding them.

And likewise when Allāh obliged the parting gift (mutʿah) on the divorced who is not yet touched by the man as Allāh said, “There is no blame upon you if you divorce women you have not touched1 nor specified for them an obligation. But give them compensation (mutʿah).” [al-Baqarah: 236]

They assume this to contradict Allāh obliging a parting gift on women in general whether touched or not as He said, “And for divorced women.” [al-Baqarah: 241]

So they assume it is prohibited to give touched wife a parting gift. And this is false as there is not a prohibition in both orders from giving the touched wife a parting gift.

The third category, which is the most precise and most difficult, is when one of the two texts have an order to perform an act, which is linked to a specific manner, or a specific time, or a specific person, or a specific place, or a specific number. Then, the other text has a prohibition of performing an act with a specific manner, or a specific time, or a specific place, or a specific number. In each of the two acts mentioned – the one ordered and the one prohibited – there is something that can be excluded from the other. This occurs in such a way that each of the two texts have two rulings or more, such that some of what is mentioned in one of the two texts is general to some of what is mentioned in the other text. Likewise, the second ruling in the other text is also general to some of what is mentioned in the former text. From this is the verse in which Allāh obliged Ḥajj in general as He said, “And [due] to Allāh from the people is a pilgrimage to the House.” [al-Baqarah: 97]

Then the Prophet ﷺ said, “It is not allowed for a woman who believes in Allāh to travel except with a husband or a maḥram.”[49]

So in the verse is obliging it on people in general, obliging them a specific act which is traveling to one exact place, different from other places which is Makkah. Then there is in the narration specifying some people which are women, prohibiting them from a general act which is traveling in general without specifying a place.

So the first group says, “The meaning of this is that Ḥajj is obligatory, except on women that do not have a husband or a maḥram, there is no Ḥajj obligatory on them.”

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[49] Ṣaḥīḥ Muslim 1341, 424

So as you can see they specify women from the people in that situation.

And the second group says, “It is prohibited for women to travel in general except with her husband or maḥram except if she travels to that which she is obliged such as Ḥajj, or to that which she is recommended to do like a voluntary umrah, or that which she is obliged such as being expelled. Then she travels without husband and without a Maḥram.”

So they specify, as you can see the obligatory travels and the recommended ones from all other travels, ruling them as prohibited for her except with her husband or maḥram.

In such cases none of these two is more correct than the other, these groups by mentioning these only mention how they use the two texts, none of it is better than the other. In such cases additional evidence must be sought for the correctness for one of the two specifications.

So we only go with exception for obligatory and recommended travels for which no maḥram and no husband is obligatory and oblige a woman to perform Ḥajj and umrah and her to go if she is expelled and allow her a voluntary umrah and a voluntary Ḥajj and to look after her property without a husband and without a maḥram. Because the Prophet ﷺ obliged expelling[50]. And the Prophet ﷺ ordered not preventing the women from the mosques[51].

So the text came as you see about women, that it is not allowed to prevent them from the mosques and Makkah is from the mosques, so this text is lesser in meaning than the narration prohibiting women from traveling in general, so it is obligatory to make it specified from it. And the one preventing them is a sinner.

And then another additional evidence for this specification is that when a woman went alone to perform Ḥajj without her maḥram or

[50] Sunan Abī Dāwud 4415

[51] Ṣaḥīḥ Muslim 442

husband, the Prophet ﷺ only ordered the man to go with her and did not prohibit the woman from anything[52].

Another one from this category is assuming the Prophet ﷺ ordered to listen to the khuṭbah. While there is the verse obliging greeting back when being greeted as He said, "And when you are greeted with a greeting, greet [in return] with one better than it or [at least] return it [in a like manner]." [Al-Nisāʾ: 86]

So it is obligatory to look at these two.

The first obliges listening to every single speech, whether it is salām or others and that is in a specific time which is the khuṭbah.

And in the second text there is the obligation of returning the salām which is some of speech, a part of general speech and that is in every single situation in general.

So the first group says, "The meaning of that is listen except to the salām which you are ordered to spread."

And the second group says, "Returning the Salām is obligatory except if you listen to the khuṭbah."

One of these two specifications is not better than the other, so it is obligatory to seek additional evidence that is not related to the way their specification is laid out.

So the obligation of returning the salām during the khuṭbah is obligatory because in this case the maʿhūd al-asl (the state before the rulings are revealed) is looked into, which is the permissibility of speaking in general, then the prohibition comes about speaking during the khuṭbah, then the order comes with returning the salām and also the order to spread the salām. So the prohibition of speaking is an addition on the maʿhūd al-aṣl and a revealed ruling which we are certain of its obligation and returning the salām and spreading it is lesser in meaning than the prohibition of speaking. So it is obligatory to make that an exception from the prohibition of speaking and this arrangement is of the same type mentioned in the first category.

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[52] Sunan ibn Mājah 2900

And from this category is also the order of the Prophet ﷺ that whoever sleeps past the prayer or forgets it that he must pray it when he remembers it."[53]

Then there is his prohibition of praying after ʿAṣr and After Ṣubḥ and when the sun reaches the zenith[54].

So the first group said, "The meaning of this is pray them when you remember them except if it is in a time in which praying is prohibited."

The second group said, "The meaning of this is do not pray after Ṣubḥ, and also not after ʿAṣr and also not when the sun reaches the zenith, except if it is a prayer you slept through or forgot or are ordered or are recommended or do in an accustomed manner."

So none of these two specifications is better than the other, nothing validates one of these two except a decisive evidence from another place. And if that does not exist then what must be taken is the additional ruling which is the more general one.

And in this case the correct specification is that a prayer is made up during those prohibited times if it is missed because of forgetfulness or having slept past it and the additional decisive evidence for that is the Prophet ﷺ said that whoever prays a rakʿah of ʿAṣr before sunset that he has caught it and also the one that prays a rakʿah of Ṣubḥ before sunrise that he has caught it[55].

And from this category is also the saying of Allāh that he preferred the children of Isrāʿīl over the creation as He said, "O Children of Isrāʿīl, remember My favor that I have bestowed upon you and that I preferred you over the creation." [al-Baqarah: 47]

But then there is the verse in which Allāh says about our Ummah that we are the best Ummah that has been brought forth to the people as He said, "You are the best of peoples ever raised up for mankind." [Āl ʿImrān: 110]

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[53] Al-Mujtaba of al-Nasāʿī 619

[54] Ṣaḥīḥ Muslim 831

[55] Ṣaḥīḥ al-Bukhārī 579

So none of the two texts are more deserving of exception than the other except with a decisive evidence from another place.

Because it is possible to say, "You are the best people that is brought forth to the people except the children of Isrāʿīl which Allāh preferred over the creation."

And it is possible to say, "Allāh preferred children of Isrāʿīl over the creation except the Ummah of Muḥammad they are the greatest Ummah brought forth to the people."

So the correct exception must be sought from other place. So we look into it and find that the saying of Allāh about the children of Isrāʿīl, "I preferred you over the creation," is a decisive evidence that this is not upon its apparent, because the angels are greater than them without doubt, as the angels are messengers and Jibrīl is the greatest creation of Allah. And as for the verse about our ummah being the greatest that is brought forth to the people, there is no naṣṣ that it is not upon its apparent because the angels enter the creation and jinn are not part of it as they are not from the nations brought to the people. So as no naṣṣ has come that this is not upon its generality (ʿumūm). Then it is not allowed for anyone to specify it so it is obligatory to take it from its apparent. So the conclusion is then that Banī Isrāʿīl is not the greatest nation but ours is and that Banī Isrāʿīl being preferred over the creation is then only in a specific aspect, not in being greater than our Ummah.

So in this category there always must be an additional evidence clarifying the correct exception from the two and the truth from the two manners of specifying, because Allāh has assured the guarding and preserving the religion, if there was here no clear evidence and clear decisive evidence then the assurance of Allāh would be treachery and this is kufr from whoever sees its possibility.

As for the fourth category it is for one of the two texts to prohibit some of what the other text completely entirely permits, or one of them obliges while the other text does not oblige anything. In this case it is obligatory to look at which text goes in accordance with the

state we were upon before any ruling was revealed upon us then, that text goes in accordance with this state must then be abandoned and the other one must be taken.

And the decisive evidence for that is that we are certain that used to be upon the state in that Ḥadīth in which what is mentioned goes in accordance with the state before a ruling is revealed, then after that we are certain that a ruling is revealed, different than what we used to be upon. So it is then certain that we are taken out of this state of what we used to be upon and the previous state is then the abrogated state and the revealed ruling is then the nāsikh abrogating ruling to what came before it.

Another decisive evidence for this way is that if this would not be the case no one would know the abrogated from the abrogating ruling then the religion would not be preserved, and no one would know what ruling the ḥaqq in this category.

And from this category are the narrations in which the Prophet ﷺ did not order ghusl for having intercourse while not releasing semen[56].

The state of ghusl not being obligatory for this goes in accordance with the state before the ruling of that was revealed as the original state is that no ghusl is obligatory on anyone except till Allāh orders it. So when the order came to perform ghusl for intercourse in general even if there is no release of semen it is certain that this order is what is binding and that it is what changes the first ruling without doubt.

And from this is also the order that no one must drink when standing[57].

But it is also narrated that the prophet would drink while standing[58].

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[56] Ṣaḥīḥ Muslim 346

[57] Ṣaḥīḥ Muslim 2024

[58] Sunan Abī Dāwud 3718

So we say that the original state before revelation of rulings is that anyone can drink as they want from standing and sitting and others then the prohibition comes for drinking while standing, so this prohibits what we were upon from the previous permissibility.

A valid abrogation is not always related to state before revelation, as long as it is known that a ruling was first at a specific time in a specific manner but then later at another time changed to something else then this is a valid abrogation, and this is known by various manners which will come in its own chapter.

But one manner is such as the obligation of performing wuḍūʾ from after eating what touched fire[59].

Then it is narrated that among the last things the Prophet ﷺ did was abandoning performing wuḍūʾ from that which touched the fire[60].

If it would not be for this wuḍūʾ would be obligatory for everything touched by fire but as it is established that it is abrogated it is abandoned.

And from this category is also that the Prophet ruled that if someone meets Ṣubḥ while being junub that he has no fast[61].

But this ruling goes in accordance with the general ruling of fasting of no intercourse, no eating and drinking during the fast.

So the narration in which the prophet ﷺ would fast while being in a state of junub rules over it and abrogates it[62].

And the same is done with the narration obliging wuḍūʾ from touching the private parts because it is an addition to what is in the other narrations in which there is no obligation of touching the private parts.

There is a fifth which the ignorant people assume to be a contradiction which is not a contradiction whatsoever. And that is when there is a Ḥadīth with a ruling if a manner then there is another Ḥadīth

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[59] Ṣaḥīḥ Muslim 352

[60] Al-Mujtaba 185

[61] Musnad Aḥmad 26630

[62] Ṣaḥīḥ Muslim 1109, 78

about the manner of that ruling. Such as what is narrated taṭbīq during rukūʾ[63]

But it is also narrated to place the hands on the knees during rukūʾ[64].

This is not a contradiction at all, both of these, by these two narrations alone only indicate that both of them are permissible. Because there is no order. Except if there comes an order for one of the two manners, then one of them would prevent the other. And there has come the order to place the hands on the knees so it prohibits taṭbīq as clarified that the additional ruling must be taken and the order is the addition to what was not an order before it[65].

And from this is what is narrated about him ﷺ that he would do ghusl between intercourse of two wives[66]. Then it is narrated that he would not do ghusl between them till after the last wife with one ghusl[67].

All of this is allowed, and this is only in his actions, not in his orders that oppose other matters.

And from this is what is narrated from his ﷺ prohibition of combining a woman with her maternal aunt and a woman and paternal her[68].

This together with what is in the verse of Allāh prohibiting women in verses 23 and 24 of al-Nisāʾ then Allāh allowing what is other than that. What is not in the verse but in the prohibition of the prophet ﷺ is only added to the prohibitions Allāh made in this verse.

And from this is also what the Prophet ﷺ prohibited from donkeys, beasts and animals with claws and fangs[69]. While Allāh

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[63] Ṣaḥīḥ Muslim 534
[64] Sunan Abī Dāwud 730
[65] Sunan Abī Dāwud 767
[66] Sunan Abī Dāwud 219
[67] Ṣaḥīḥ Muslim 309
[68] Ṣaḥīḥ Muslim 1408
[69] Ṣaḥīḥ Muslim 1934

mentioned that only maitah is prohibited from food as in the verse, “I do not find within that which was revealed to me [anything] forbidden to one who would eat it unless it be a dead animal or blood spilled out or the flesh of swine.” [al-Anʿām: 145]

What the Prophet ﷺ prohibited is only added to what is in this verse.

And from this type is also what is narrated about him ﷺ wiping on his head thrice[70], and him ﷺ wiping twice[71], and him ﷺ wiping once[72]And him ﷺ wiping on his forelock and ʿimāmah[73]. And him ﷺ wiping on nothing other than his forehead.

If all of these would be authentic, then all of them are only added to each other, they are all rulings that are all binding.

Some people claim, “When some of these matters are mentioned in a naṣṣ but then not mentioned in the other naṣṣ then it is an evidence when it is not mentioned that that ruling is invalid and omitted.”

This is extremely false, a claim without evidence and implies that every ruling that is not mentioned in every single verse that it is invalid and this is mere falsehood. Instead the default is that all of it is binding as Allāh obliged all of it on us, the texts of the entire religion must all be taken as if it is one text, all connected, added to each other, build by each other. Then in the manner clarified previously.

[70] Sunan Abī Dāwud 107
[71] Sunan Abī Dāwud 126
[72] Sunan Abī Dāwud 106
[73] Sunan Abī Dāwud 150

Takhṣīṣ After Takhṣīṣ from Multiple Nuṣūṣ

With the following making specifications (takhṣīṣ) will become very clear by the will of Allāh, it does not matter when it is revealed and it does not matter if it is from the Qurʿān or the Sunnah and it does not matter how many times the more general has been specified.

Allah said, “It is He who created for you all of that which is on the earth.” [al-Baqarah: 29]

There is no naṣṣ more general than this, there is in it the permissibility of women, all foods and everything on earth.

And Allāh said, “Say to the believing men to lower their gaze and to protect their private parts.” [Al-Nūr: 30]

So there is no naṣṣ after the one mentioned before more general than this second naṣṣ.

If nothing had come except these two texts then marriage and intercourse would be entirely prohibited, and women would be specified as prohibited entirely from what is allowed in the more general previous text.

And Allāh said, “Marry the women of your choice.” [Al-Nisāʾ: 3]

This does not permit what the other naṣṣ prohibited in which is protecting the furūj (private parts). Because this naṣṣ only goes in accordance with the more general text in which is the permissibility of everything, this is only a taʿkīd and a repetition.

We do not say that any of these texts came before the other, and also not that some is after the other, whether some is revealed before or after, there is no difference in any of that.

So till now it is established that marriage is entirely prohibited from what Allāh permitted because of the obligation of protecting the private parts we find that Allāh made a complete exception permitting marriage from protecting the private parts with a complete exception as He said, “And they who guard their private parts. Except from their wives or those their right hands possess, for indeed, they will not be

blamed. But whoever seeks beyond that, then those are the transgressors." [al-Muʿminūn: 5-7]

So it is established that marriage is specifically permissible from what Allāh prohibited from not protecting the private parts. Then we find that this exception is taken upon its generality again from which specifications is made in the verse about whim women are prohibited such as the mother, the daughter, the menstruating, the muḥrimah, the woman fasting an obligatory fast and the maḥram through breastfeeding.

What Exactly Mujmal is And How to Act Upon it

The text for which is evidence that it is not ʿumūm general, if it is from the nuṣūṣ which if we left and the intend cannot be understood from it, then we do not take from it except what another naṣṣ clarified such as the verse, “Establish the prayer and give the Zakāh.” [al-Baqarah: 43]

And likewise is the verse, “Take from their property ṣadaqah.” [Al-Tawbah: 103]

There is not in this the howness of that ṣadaqah, and also not when it is taken and also not which day or month or year or once in a year and the amount and what property.

So there is in the verse, “Take from their property ṣadaqah.” [Al-Tawbah: 103]

Two generalities, one is properties and the second is the pronoun that returns to the owners of those properties. The generality of the properties is established from the prophet ﷺ that he would not oblige Zakāh except on some properties not everything while the verse itself also indicates as Allāh only said, “Take from their property a ṣadaqah.” So the apparent necessitates that whatever is taken whether less or a lot then property is taken just as it is ordered. The “from (min)” indicates tabʿīḍ (some). And the saying of the Prophet ﷺ when he was asked about whether there is Zakāh obligatory on donkeys[74] indicating that Zakāh is not upon everything, while the words in the verse alone already indicate that there is not Zakāh on everything obligatory. And the Prophet ﷺ said, “Verily your property are for each other ḥarām.”[75] and said, “Everything of a Muslim upon a Muslim is ḥarām, his blood, his property and his honor.”[76] If every single property in general would

[74] Ṣaḥīḥ Muslim 987

[75] Ṣaḥīḥ Muslim 1679

[76] Ṣaḥīḥ Muslim 1679

be meant then that would be impossible because it would be then obligatory to give away every single property away.

So as everything is as we mentioned, it establishes that Allāh did not intend every single property, so this obliges seeking what property Zakāh is obligatory on, its amount and when it is taken. As it is established that what is taken is some of what is owned, then there must be a clarification of what is intended. Because if anything is taken which can be called a thing, then his property has been taken and this would fulfill the apparent and not oppose it at all. Nothing is possible except this because the second option is impossible which taking from every property as clarified before. And as this category is not possible the other is established. And if it would not be for additional clarification in other texts then anything would suffice in any manner.

So if there would not be nuṣūṣ on taking from the cattle, gold, silver, wheat, barley and dates then nothing would be obligatory from Zakāh except what the name "taking (akdh)" occurs on and that would suffice and one grain would suffice, or anything a person gives.

As for the second generality which is the general owners of property, it is very clear and that is from every human that owns property, it is obligatory to use it upon its generality if the amount of what must be taken is known and when it is taken, nothing takes out from this except what texts take out. As for text that is clear and its meaning can be understood from its words and can be understood generally even if no other text came, then another text comes and specifies from it some of what its name occurs on, then nothing leaves it except what texts took from it.

Mujmal and Mufassar

ʿUmūm is of two types, the mufassar (clarified) and the mujmal and mujmal is that the meaning of it cannot be understood from its apparent and we have mentioned this before. The intended meaning of the mujmal must be sought from another naṣṣ of the Qurʿān and Sunnah, it cannot be taken from anyone else, not from a companion and also not anyone after them. If a clarification of it is found of those words in another text then it must be. Taken and we do not care whoever opposes it no matter who they are and their number. I will mention a few examples for these and how to act upon them

Such as the verse, "Till they give jizyah willingly." [Al-Tawbah: 29]

And the verse, "A fidyah paid to his family." [Al-Nisāʿ: 92]

And the verse, "Then a fidyah of fasting, ṣadaqa or sacrifice." [Al-Baqara: 196]

And the verse, "Then feeding sixty poor people." [Al-Mujādilah: 4]

And the verse, "Take from their property ṣadaqa." [Al-Tawbah: 103]

And the verse, "So give them a gift." [Al-Aḥzāb: 49]

And the verse, "Or a kaffārah of feeding the poor, or the amount of that fasting." [Al-Māʿidah: 95]

And the saying of the Prophet ﷺ, "There is no owner of camels that does not give its right due and no owner of cows that does not give its right due and no owner of gold and silver that does not give its right due except that there will be down so and so with him on the day of judgment."[77]

And the naṣṣ that obliges spending/maintenance of the wives and the close relatives.

[77] Ṣaḥīḥ Muslim 990

As for the verse, “Till they give jizyah willingly.” [Al-Tawbah: 29]

Another authentic text has clarified that they must pay one dīnār only and it is not something given yearly it is a one-time obligation only[78]. It is allowed to oblige them more because unlike with the Muslims in which their properties are prohibited in general except if a text allows it so it becomes prohibited to oblige anything more than what has exactly come in the texts, with the Ahl al-Kitāb there is no such naṣṣ so the least amount is one and it is allowed to oblige more if they are able to and after that it is no longer allowed to take more for them because from that moment onwards there are texts prohibiting oppressing them in general except if they go against ṣaghār, as long as that is the case they must not be oppressed and no property must be taken from them.

As for the verse “Then a fidyah of fasting, ṣadaqa or sacrifice.” [baqara 196]

There has come in the texts clarification of this[79].

As for “Then feeding sixty poor people.” [Al-Mujādilah: 4]

This obligation of feeding sixty poor people has come for intercourse during daytimes of Ramaḍān which is clarified in the texts of the Prophet ﷺ and are well known.

This text has about feeding sixty people has also come about ẓihār and for ẓihār it suffices to feed sixty different people in any manner possible as there is no additional text clarifying it unlike with intercourse during Ramaḍān and one person sixty times does not suffice because that one person is not sixty persons.

As for the verse, “Take from their property ṣadaqa.” [Al-Tawbah: 103]

This is clarified in the other texts, and as clarified before it is not allowed to take more than what has come in the texts because of

[78] Sunan Al-Kubrā by Al-Bayhaqī 7362, 8/59

[79] Sunan Abī Dāwud 1857 | Ṣaḥīḥ Muslim 1201, 84

the prohibition of taking properties from Muslims in general, so only what is exactly specified can be taken even if they are no orders.

As for, “So give them a gift.” [Al-Aḥzāb: 49]

For this anything suffices as there is no additional clarification.

As for the verse, “Or a kaffārah of feeding the poor, or the amount of that fasting.” [Al-Māʿidah: 95]

Here the demonstrative pronoun (ism ishārah) in “that” (dhalika) goes back to the furthest mentioned thing which is hunting (ṣayd) so the conclusion is then that the equivalent of whatever that ṣayd could feed from the amount of people then that amount must be fasted for each person it can satisfy.

As for the saying of the Prophet ﷺ about the owners of camels and cows and gold then this is all clarified in authentic narrations.

As for obligatory maintenance (nafaqat): Allāh obliged this with maʿrūf and ordered us iḥsān in that, this necessitates feeding them till they are satiated, covering, with what is enough and covering their ʿawrah with what is not humiliating to wear.

Considering All Meanings For an Order

As for when a linguistic word comes it is obligatory to take it upon its generality (ʿumūm) and on everything that it occurs on in the language and it is obligatory not to add to it what its word does not necessitate Such as the saying of Allāh, "If you know in them good." [Al-Nū: 33]

Good in the language occurs on righteousness in religion and on property, so with allowed to specify by this alone some of what the word occurs on. But when Allāh said, "In them," and did not say, "With them (maʿa hum)" and also did not say, "They have (ʿinda hum)" we know that Allāh only intended religion.

And from this is the saying of the Prophet ﷺ, "There is not in dūna (less) than 5 amounts of awsuq from barley or dates Zakāh"[80]

It is obligatory to understand dūna on everything it necessitates from less than but also other than so by that Zakāh is not obligatory on any vegetables fruits and nothing else except what other texts specifically obliged.

This is all only with information about an order, then all meanings must be used, because of the obligation of using the apparent of all words. But as for orders, then all meanings are used but the least amount on which the order occurs suffices for the obligation and this is while all meanings are also used but what is not obligatory is encompassing all meanings in carrying out the order, this is clarified in the next chapter.

[80] Ṣaḥīḥ al-Bukhārī 1390

The Least Amount of an Order Suffices For an Obligation

We have said that orders must be taken with all of their meanings. This does not mean that the one ordered must do all of those meanings. The only meaning is that when all of those meanings are used, then if he does one of those meanings that the order is fulfilled. Except for prohibitions as clarified before that prohibitions are orders to avoid so with prohibitions all meanings must be used entirely because whatever meaning the doer of it does, he falls in a prohibition. This is unlike with orders because whatever meaning the ordered person does then he has fulfilled the obligation. This is something that is easily misunderstood so I will clarify it with a few examples.

The ruling of washing from the hands to the elbows as Allāh said, "And your hands to (ilā) the elbows." [al-Māʿidah: 6]

'Ilā' in Arabic means to the limit of without having reached the thing it is associated with, and it means maʿa (with). So the conclusion is then that if a person does not wash the elbows it suffices because he has fulfilled the order, and obliging more is obliging what is not obligatory because he has already fulfilled what is obligatory. And just as with the order of the Prophet ﷺ to Ali when he asked the Prophet ﷺ about madhī, the Prophet ﷺ said, "Wash your male organ."[81]

Washing the entire male organ for discharge of madhī is not obligatory because upon washing the exit point of madhī from the male organ, the wording: 'washing the male organ,' occurs on it just as one can say when he washes it: "I washed my male organ from urine." So adding obligatory washing, is a sharʿ without evidence.

Then there is taking all meanings if the text comes in the manner of a khabar such as the Ḥadīth, "There is not dūna five awsuq amounts of barley or dates Zakāh."[82]

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[81] Ṣaḥīḥ al-Bukhārī 269

[82] Ṣaḥīḥ al-Bukhārī 1390

Here ‘dūna’ as clarified before means other than and also less than. With such texts it is not said that the least amount done fulfills the obligation because this has come in the manner of a khabar, so what is obligatory is to take all meanings so the conclusion then is that there is no Zakāh for anything other than what is mentioned in this narration except what is specifically made obligatory for Zakāh. And from this type is what we have said about qurʾ that it means menstruation and also time of purity. Because these have come in the manner of a khabar But this is not the case with ghasl because this is something ordered, and from the meanings of ghasl is tadalluk but also merely letting water run over you, so merely letting water run over you suffices. And with prohibitions as mentioned before all meanings must be taken because whoever falls under one has fallen under a sin.

The Sunnah Makes Takhṣīṣ of the Qurʿān

The Sunnah makes takhṣīṣ of the Qurʿān. Such as what Allāh said about inheritance in verse 11 of al-Nisāʾ. Then the Sunnah specified that the slave does not inherit and that the kāfir does not inherit[83]. The Sunnah can also abrogate the Qurʿān and can clarify the Qurʿān, even if the Sunnah is a khabar al-wāḥid, all of this is revelation from Allāh in the exact same manner without any difference.

[83] Ṣaḥīḥ Muslim 1614

The Lowest Amount for a Plural

What is only correct is that the lowest plural is three.

Those who believe it is two say, "Plural (jamʾ) in Arabic is adding one thing to another, so if one is added to one 2 is a jamʾ."

This is false because this implies that one body must be spoken with as plural because a body parts are combined to each other. The meaning of jamʾ (plural) we differ is not this meaning of combining. The only meaning is whatever is other than ifrād (singular) and tathniyah (dual) and that is not except three different persons.

They argue with the narration attributed to the Prophet ﷺ, "Two and whatever is above is a jamāʿah."

This is weak, it is narrated from three companions from the Prophet ﷺ. The first is from Abū Mūsa[84].

This is weak because of ʿUlayla ibn Badr, and his father Badr ibn ʿAmr is majhūl.

Then from Abū Umāmah[85].

This is weak as Maslamah ibn ʿAli and al-Qasim ibn ʿAbd al-Rahman al-Dimashqi are weak.

Then from ʿAbdullah ibn ʿAmr ibn al-ʿĀṣ[86].

This is weak because al-Ḥasan ibn ʿAmr and ʿUthmān ibn ʿAbd al-Rahman al-Madani are weak.

And the silsilah ʿAmr ibn Shuʿayb —» his father —» his grandfather is a wijādah munqaṭiʿah, so it must be abandoned.

They also argue, "If two people speak about themselves they use the plural form such as faʿalnā, ṣanaʿnā just as the plural."

This is false because it is said about two absent, faʿalā while for the plural it is said faʿalū. And two women say about themselves a well faʿalnā just as two men say about themselves faʿalnā and that does not

[84] Sunan ibn Mājah 972

[85] Al-Awsaṭ of al-Ṭabarānī 6624

[86] Sunan al-Daraqutni 1/281

oblige that it is said to those women faʿalā instead of faʿalatā. Even one person can say about himself faʿalnā ṣanaʿnā nafʾal naṣnaʾ. So these places in which they concur and differ are not an evidence at all.

They also argued with the verse of Allāh Almighty, "If you both repent to Allāh, for both of you (dual), your hearts (plural) have deviated." [At-Taḥrīm: 4]

They said, "They only had two hearts, and the plural form was used for two people that are dual, so dual is also a plural."

There is no ḥujjah for them in this because it belongs to a specific linguistic category related only to the limbs. The naḥwiyyīn have transmitted that in cases involving "two of two," the Arabs sometimes referred to them using the plural form. This is because the Arabs considered the two things being mentioned, then conceptually added them to the two things they are associated with, resulting in a count of four. For this reason, the plural is used in these specific cases.

They also use as evidence the verse, "And [mention] Dāwūd and Sulaymān when they two judged (in dual form) concerning the field, when the sheep of a people overran, and We were witness to their (plural) judgment." [Al-Anbiyāʿ: 78]

There is no ḥujjah in this for them because, according to Arabic grammar, the pronoun (ḍamīr) refers to the nearest mentioned entity. In this verse, the nearest mentioned entity to the pronoun is the phrase "the sheep of the people". So, the people, along with Dāwūd and Sulaymān, form a group without doubt. It is as though Allāh said, "We were witnesses to the judgment of the people in that matter," meaning the judgment upon them, similar to how one might say, "This is the judgment concerning this matter," meaning the judgment regarding it and upon it.

They also use as evidence the verses, "And has the story of the adversaries (plural) come to you? When they climbed over the wall into the private chamber. When they entered upon Dāwūd and he was alarmed by them. They said, 'Fear not. Two adversaries have wronged each other.'" [Ṣād: 21-22]

They say, “But Allāh clarified that (those adversaries) who hare here mentioned in plural form that they were two and plural in amount, by saying, ‘You have wronged him by asking for his one ewe to add to your ewes’ [Ṣād: 24]. And one of them said, ‘This is my brother; he has ninety-nine ewes, and I have one ewe. He said, ‘Entrust it to me and he has overwhelmed me in speech’’ [Ṣād: 23].”

This is not a ḥujjah for them, because the word khaṣm (adversary) in the Arabic language can equally apply to one, two, or a group. And likewise, the word zawr can refer to one, two, or a group. The same applies to ilb (hostility) and ḥarb (war): you can say, “He is ilb against me and ḥarb against me” to refer to one person, or, “Both of them are ilb against me and ḥarb against me” for two people, and, “They are ilb against me and ḥarb against me” for a group. And as there is no clear text stating that the two disputants who came to Dāwūd climbed over the wall as only two, with no third present, no one has the right to use this to invalidate what has been confirmed in the language or to establish something that is not established in it.

And they use as evidence the verse, “The male thief and the female thief, cut off (plural) their hands (dual)” [Al-Māʾidah: 38].

There is no evidence in this for them because it is not as they assumed; this is instead a valid plural because the sāriqīn (male and female thief) have two hands so they are four hands with certainty. And cutting the two hands of the thief both are obligatory, hand after hand, if he steals again, by the texts of the Qurʿān.

They also use as evidence the verse, “And if he had brothers, for his mother is a sixth” [An-Nisāʾ: 11].

This evidence is against them, not for them. It is not permissible, according to us, to reduce the mother’s share from one-third to one-sixth except in the presence of three brothers, not two

They also use as evidence the saying of Allāh about Yaʿqūb, “Perhaps Allāh will bring them to me all together” [Yūsuf: 83].

They say, “It was only Yūsuf and his brother.”

This is a severe mistake, they were nothing but three: Yūsuf, his brother which was imprisoned because of the golden bowl which he found in his camel's load. And the big brother who said, "So I will never leave [this] land until my father permits me or Allāh decides for me, and He is the best of judges. Return to your father and say, 'O our father, indeed your son has stolen, and we did not testify except to what we knew'" [Yūsuf: 80-81]. And when Yaʿqūb lost three of his sons he hoped that all of them would return. They also use as evidence the verse, "And if two factions (tāʿifahs) among the believers fight (plural), then make settlement between the two" [Al-Ḥujurāt: 9].

They say, "Ṭāʿifah in Arabic is a word that occurs on one and two and on more than that. Allāh told us once about the two groups and once plural by his saying, '(They) fight,' and once dual with this saying about the two, 'Then make settlement (plural) between the two.' And Allāh said in the next verse, 'So make settlement between your brothers' [Al-Ḥujurāt: 10] So he ordered settlement between two just as he ordered settlement between a group."

There is no evidence in this for them because ṭāʿifah is just as they said, applies for one, two and more. When Allāh speaks about them with the plural form, then the meaning is plural. And the meaning of two ṭāʿifahs in the beginning of the verse mentioned is the larger group within the two groups, and the meaning of the verse, "Then make settlement (plural) among (the two of) them," means between the two fighting groups. Then Allāh taught us the obligation of settlement between two just as it is an obligation between many twos when he said, "So make settlement between your (two) brothers (dual)." Understanding these verses on the manner we mentioned is an obligation and it is not allowed oppose it because it is general for the description of settlement between many and a few. If it would be as those that oppose think it is, we would not know that there can be settlement between two groups only and that is a clear mistake.

They also use as evidence the saying of Allāh to Mūsā and Hārūn, “Nay! Go you both (dual) with Our Signs. Verily We shall be with you (plural), listening” [Ash-Shuʿarāʾ: 15].

They say, “He did not say, ‘With you both,’ in dual but, ‘With you,’ in plural.”

There is no evidence for them in this because they were three without any doubt, they were: Mūsā, Hārūn the two messengers and Pharaoh, the one to whom the message is sent. So the listeners are three with certainty. Words in the language are expressions of meanings, and there is no disagreement among the Arabs that reporting about two individuals has a specific form distinct from the form used for three or more. For three or more, extending to an unlimited number, there is a form that differs from the dual; this is the plural form.

There is no disagreement among the people of the language that it is incorrect to say, “The Zaydūn stood up,” when referring to two people, or “The Hindāt came to me,” when referring to two.

The pronoun for the absent (third person) is universally agreed upon by linguists to replace the name of the absent individual and is substituted accordingly. It is not permissible to replace a plural pronoun except with a plural subject, nor a dual pronoun except with a dual subject. If such substitutions were allowed, it would result in ambiguity and negate clarity. Similarly, when addressing two individuals, it is impermissible to say, “You all stood up” or “You all sat down.” Instead, one must say, “You both stood up” and “You both sat down.” One does not say to two women, “You all stood up,” nor does one address a group of women with, “You both stood up.” Instead, it is said, “You (plural) stood up.” So our position is firmly established based on the clear linguistic rules of the language in which the Qurʾān was revealed and in which the Prophet ﷺ spoke. We rely on its understood meanings in rulings unless we have a text to the contrary. With Allāh’s guidance, we will succeed, and this is indisputable. May Allāh guide us to the truth.

The Plural Form is the Same as ʿUmūm

Some people claimed if there is a plural order then three amounts suffice for the obligation. And this is false there is no difference between ʿumūm and a plural, they are both the same, just as one does not suffice if it is ordered in singular manner instead it must be repeated if it is a reoccurring order.

Examples for this is the saying of Allāh, "The ṣadaqat are only for the poor and needy." [Al-Tawbah: 60]

The Imām is obliged to distribute it for every poor and needy.

Majāz and Tashbīh

If it is certain that a name by dalīl of naṣṣ or nature is changed from its place in the language to another meaning, then it is obligatory not to transgress it. As long as there is no evidence that a name is changed from its place in the language then it is not allowed for anyone to claim it is changed. Every text from Allāh and his Messenger ﷺ are upon their place in the language, except if Allāh wills it to be changed from its place which is known by another naṣṣ, evidence, or necessary senses that Allāh or his Messenger ﷺ have changed it from their place to another.

Every word that Allāh changed from its place in the language, then if Allāh is worshiped with that with saying and action such as Ṣalāh, Zakāh, Ḥajj, Ṣiyām, Ribā and others, then none of this is majāz, these are instead Ṣaḥīḥa namings and real names necessary, arranged where Allāh arranged them.

But if it is what Allāh changed from its place in the language to another meaning which we worship by with actions without him naming that name then this is what majāz is.

Such as the verse, “Lower for them the wing of humility from mercy.” [Al-Isrāʾ: 24]

We worship Allāh by having humility to the two parents and have mercy to them and Allāh never obliged us to utter that humility has a wing, there is no difference in this, this is not like Ṣalāh, Zakāh, Ṣiyām because there is no difference that we are obliged to call to these actions with these names with no other way.

From this is the saying of Allāh, “A wall that wanted to collapse, so he resorted it.” [18:77]

We know by the necessity of reason that a wall has no inner self, and ‘will’ exists only with an inner self/conscience belonging to a living being. This is the familiar meaning of ‘will’ in customary usage, upon which the word ‘irādah’ in the language does not apply to anything else.

So when we find that Allāh, exalted is He, has applied this attribute to a wall that possesses nothing that would justify such a designation, we know with certainty that Allāh has changed the meaning of the word ‘will’ in this place to mean the inclination or leaning of the wall, so naming that inclination a ‘will.’

And we have already stated that Allāh names whatever He wills with whatever He wills. However, this does not necessitate transferring the true realities that He has arranged in His creation from their proper ranks, nor transferring that term to anything other than the specific context in which the Creator has transferred it.

And were it not for the rational necessity we mentioned, we would never dare to judge that a term has been transferred from its original referent at all.

And from this is the saying of Allāh, “And it sailed with them through waves like mountains” [11:42]

He, called the movement of the ship ‘running,’ even though the movement of a ship is involuntary. This is of the same kind as what we have mentioned: that He, exalted is He, names whatever He wills with whatever He wills. And He is the Creator of all names and all named things.

And from this is the saying of Allāh, “And their hearts absorbed [the worship of] the calf because of their disbelief” [2:93]

He only meant their love of the calf, according to what we mentioned regarding the ellipsis (ḥadhf) in which one expression is made to stand in place of another.

And the verse, “On the Day We will say to Hell, ‘Have you been filled?’ and it will say, ‘Are there some more.’” [Qāf: 30]

It is, according to us, literal speech and making it speak real.

As for the verse, “Indeed, We offered the Trust to the heavens and the earth and the mountains, and they declined to bear it and feared it” [Al-Aḥzāb: 72]

This, according to us as well, is literal. For Allāh, exalted is He, placed within them discernment when He presented them with the

choice. When they refused to bear the obligations of the prescribed rulings and were afraid of carrying the trust, He removed that discernment from them, and then all responsibility fell away from them.

And the only reason we differentiated in this matter between what we mentioned here and what we said earlier regarding the speech of Jahannam is that the Speech of Allāh, exalted is He, is entirely a clarification for us, proceeding in accordance with the familiar meaning that our understanding necessitates through the perception of our intellects and senses.

We only said this because of His saying, exalted is He, "And He made for you hearing and vision and hearts, little are you grateful." [al-Sajdah: 9]

And because He urged us to reflect and ponder over the Qurʾān, informing us that it is a clarification for us. All of this can only operate through what our intellects distinguish, not through what contradicts them.

So when all of this became established, and reflection, sight, hearing, and intellect led us to the conclusion that the heavens are inanimate and do not reason, and that the earth is likewise, and that the limit of speech is the capacity for distinguishing things, and that such distinguishing exists only in a living being; and that the living being is the one that senses and moves by will; and that the distinguishing matter belongs only to some living beings, not all of them; and that the limit of distinguishing is the ability to know things as they truly are and the ability to engage in crafts and diverse actions by will, and as we are certain that none of these qualities are possessed by the earth, nor by the celestial spheres, nor by the mountains we know that this expression with which Allāh informed us regarding these non-living entities is a transferred expression, moved from its known meaning with us to other meanings belonging to the real attributes that these things do possess. Whoever departs from this method has only

confused matters and sought to extinguish the light of Allāh, exalted is He, which He has placed within us.

So what is among us we observe that it cannot be speaking so it is then majāz but as for what is from the unseen then this is possible and must be affirmed and is real.

And from this is the what The Messenger of Allāh ﷺ said regarding the horse: "We find it a sea."[87] Here the word sea was applied to the noble horse.

And the Prophet ﷺ said, "Be gentle with the glass vessels."[88]

He means here the women, this was a transfer of the word 'glass vessels' from its original place in the language, which is glass, to women.

Likewise, His saying, exalted is He, "glasses [made] from silver," [al-Insān: 216] this is also a change of the word vessels from its original place in the language, which is glass, to silver.

[87] Ṣaḥīḥ Muslim 2307

[88] Ṣaḥīḥ Muslim 2323

Tashbīh in the Texts

Similarity between things is real and witnessed, if Allāh and his Messenger make a similarity between things then it is the truth and real and an indication to great ability because there is not in the creation two things except that they are resemble each other in an aspect and do not resemble each other in another aspect.

Allāh said, "[And] who created seven heavens in layers. You do not see in the creation of the Most Merciful any difference (tafāwut)." [Al-Mulk: 3]

This is as you can see a removal of tafāwut which means difference because resemblance is the opposite of tafāwut (difference). As difference is invalidated resemblance is established.

When there is a similarity between by the Prophet ﷺ it does not oblige inherently the same ruling with what it is made similar to, there is no evidence for that.

Istithnāʾ

Istithnāʾ one form of specification (takhṣīṣ) for istithnāʾ, it is possible for it to occur with something from a different type, this is well known and well established in the language and istithnāʾ is possible such that most of it can be made an exception and that the least part remains.

Conjugations with Istithnāʾ

If there are things conjugated with each other, then an istithnāʾ comes in the end, then if there is no clarifying naṣṣ that that istithnāʾ returns to some of it. Then it is obligatory to understand it as the istithnāʾ occurring on all of it. And the decisive evidence for that is that some is not more deserving of it than the others.

If it is said, "Why do you not say that the istithnāʾ returns to the closest to it because the words that preceded are general as they are so it is not allowed for those to change except with a naṣṣ."

The answer: Because all words gathered in one ruling, the entire matter cannot be complete till the complete end of the speech so if it is followed with an istithnāʾ which is part of it then istithnāʾ is established with certainty, then specifying the istithnāʾ for some of it is a mere claim without evidence.

An example for this is the saying of Allāh, "They are the Fāsiqūn except those who repent." [Al-Nūr: 4]

So this returns to everything that preceded, removing their fisq and obliging accepting their testimonies.

And it does not remove the ḥadd because of an additional evidence which is that the Prophet ﷺ did not omit and invalidate the ḥadd except with evidence not with tawbah[89].

And he ﷺ applied ḥadd on Ḥamnah and Misṭaḥ for their qadhf on ʿĀʾisha and there is no doubt that they repented when the verse of her innocence was revealed if they would not repent they would have apostated.

And likewise we say about the verse, "So a believing slave and diyah paid to his family, except if they give [up their right as] charity" [Al-Nisāʾ: 92]

The istithnāʾ mentioned would mean that the family cannot only give up the right of diyah but also the freeing of slave, but there

[89] Sunan Abī Dāwud 2254

is additional evidence specifically for the slave that it cannot be given because of the verse, “No soul earns except against itself.” Because the obligation is to free a slave he is at that moment free, the family cannot undo this because there is in it earning against others.

It can never be the case that the istithnāʾ returns to the farthest thing away mentioned none of ahl al-nahw and lughah have said that, the people have only said that it either returns to the closest mentioned thing or to the entire jumlah, if there is a case found where it does go then that is a specific situation, not applied for others.

And likewise is the verse, “And those that call with Allāh another ilah… except the one that repents and believes and does a good act.” [Furqan: 68]

The istithnāʾ at the end returns to everything that preceded it.

And Ishtirat has the meaning of istithnāʾ in everything we said. From that is the verse, “And that is for those that fear committing sin from you.” [Al-Nisāʾ: 25]

This is as you can see a correct istithnāʾ for the one that fears committing a sin with everything that preceded from the conditions without it applying to the one that does not fear committing sin.

And likewise is the saying of Allāh, “The one that does not find fasts 3 days.” [2:193]

About kaffārāt al-aymān, so this is a condition on the non-existence of everything mentioned in the verse from slave, clothing and feeding, not on the closest mentioned thing before it.

And likewise is the saying of Allāh in the verse about muharabah, “Except those who repent before you overcome them.” [Al-Māʿidah: 34]

This applies to omitting and invalidating everything that is mentioned in the verse from crucifying, amputation and punishment, not on some.

Takhṣīṣ is Made of the Qurʿān by the Aḥādīth Whether Khabar al-Wāḥid or Tawātur

If there is ijmāʾ on a mursal narration, then it is naql al-kāffah (mutawātir).

It is not possible for there to exist an ijmāʾ on a Ḥadīth being abrogated without that ijmāʾ existing in a narrated form from the Prophet ﷺ because then the religion would not be preserved.

As for if the companions say, "The sunnah is so-and-so," and "We were ordered," this not musnad from the Prophet ﷺ.

Kināyah with Ḍamīr

The pronoun always by default goes back to the closest mentioned thing, nothing else is possible at all, because it is a mubdal from the mukhbar thing about it or ordered in it. If it went back to the thing farthest away then it would be a problem and remove understanding. Languages are only made for clarification, if things that are ruled or spoken about, then a pronoun comes after it with a pronoun that is plural then it goes back to all of it, just as with istithnāʾ without difference.

Do you not see that if you say, "Zayd came to me, and ʻAmr and Khālid, then I hit him," that there is no difference between anyone from ahl al-lughah that the pronoun returns only to Khālid and that it is not possible for it to return to Zayd or ʿAmr.

And if you say, "Zayd, and ʿAmr and Khālid and ʿAbdullah and Yazid came to me, then I hit them." This returns without any difference among ahl al-lughah to everyone and all of them.

Ishārah

Ishārah is different to pronouns as Ishārah returns back to the farthest mentioned thing, this is its ruling in the language if the Ishārah is with the words ‘dhalika,’ ‘tilka,’ ‘huwa,’ ‘ulaika,’ ‘hum,’ ‘hiya,’ ‘humā.’ If the Ishārah is with ‘hadha’ or ‘hadhihi’ then it returns to the thing that is physically present which is nearby. There is no difference among anyone from ahl al-lughah about this.

Actions of the Prophet ﷺ are From the Religion

Before I get into the ruling about the actions of the Prophet ﷺ and abrogations. I will clarify that the actions of the Prophet ﷺ are from the religion of Allāh by the will of Allāh.

Some people have said, "Only the words uttered from the Prophet ﷺ are from the religion of Allāh, because that is the only thing about which Allāh said that he guarded it, as Allāh said: 'And he does not speak of desire, it is only a revelation revealed.' [53:3-4] And the Prophet ﷺ said in some narrations to the companions to not do what he does, and also the Prophet ﷺ made mistakes in his actions. So only what he utters is from the religion."

This is all false because there is no naṣṣ that only what he utters is from the revelation, and there narrations of him ﷺ making mistakes in what he uttered as well, and there is no indication in him ﷺ prohibiting them from doing some of what he does that his actions are not from the religion.

As for decisive evidence that his ﷺ actions are from the religion:

Allāh said, "I did not do that of my own accord" [18:82].

So the actions of the Prophet were from the waḥī.

And Allāh said, "I only follow what is revealed to me" [6:50].

And Allāh said, "And he does not speak of desire, it is only a revelation revealed" [53:3-4].

And Allāh said, "There has certainly been for you in the Messenger of Allāh an excellent example" [33:21]

And Allāh said, "And whatever the Messenger has given you - take; and what he has forbidden you - refrain from" [59:7]

And the Prophet ﷺ said, “By Allāh, I hope that I am the most fearful of Allāh, the Mighty and Majestic, among you and the most knowledgeable of what I avoid (doing).”[90]

There is ijmāʿ on the tawthīq of Abū Yūnus mawlā ʿĀʾisha.

So the Prophet ﷺ informed us that everything he does and avoids is from the waḥī.

And ʿĀʾisha said about the Prophet ﷺ, “And indeed, the Messenger of Allāh ﷺ would sometimes refrain from doing an action that he loved to do, out of fear that people might act upon it, and it would then be made obligatory for them.”[91]

And a man kissed his wife while fasting during Ramaḍān and felt severe distress because of it and said, “We are not like the Messenger of Allāh ﷺ. ” Then the Messenger of Allāh ﷺ said, “Why did you not inform him that I do that?”[92]

ʿĀʾishah said, “The Messenger of Allāh ﷺ did something and allowed a concession by that. This reached some of his companions, and it was as though they disliked it and refrained from doing it. When this reached him, he stood to deliver a sermon and said: ‘What is the matter with people to whom something has reached about me wherein I allowed a concession, and they disliked it and refrained from it?’”[93]

Anas said, “A group of the companions of the Prophet ﷺ asked the wives of the Prophet ﷺ about his private acts of worship. Some of them said: ‘I will not marry women,’ others said: ‘I will not eat meat,’ and others said: ‘I will not sleep on a bed.’ The Prophet ﷺ praised Allāh and glorified Him, then said: ‘What is the matter with people who say such and such? I pray and I sleep, I fast and I break my fast, and I marry women. Whoever turns away from my Sunnah is not from me.’”[94]

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[90] Ṣaḥīḥ Muslim 1110, 79, 3/138

[91] Ṣaḥīḥ Muslim 718, 77, 2/156

[92] Muwaṭṭaʿ Mālik 1020, 3/415

[93] Ṣaḥīḥ Muslim 2356, 127, 7/90

[94] Ṣaḥīḥ Muslim 1401, 5, 4/129

And the Prophet ﷺ obliged rulings with his mere gestures, such as in the narration of Kaʿb ibn Mālik with Abū Ḥadrad when the Prophet gestured with his hand to indicate the amount of debt that he wanted to lower[95].

And the Prophet ﷺ said, "The married with the married (for zinā) are to be lashed one hundred times and stoned."[96]

But then he stoned Māʿiz and did not lash him[97], so that of him abrogated the lashing on whom stoning is affirmed.

Another action of the Prophet ﷺ is the toy seen by him ﷺ at ʿĀʾishah's place, which was a horse with wings, despite his prohibition of images (taṣwīr)[98].

And when ʿĀʾishah cut the curtain into two cushions, the Prophet ﷺ reclined on them without showing any rejection. And then the Prophet ﷺ chose what was best in this and selected it for ʿĀʾishah and Fāṭimah, may Allāh be pleased with them. This is an acknowledgment of him as you can see, no one with the least amount of ʿaql says this is specific for the Prophet ﷺ nor that it is not from the religion of Allāh.

And also the Prophet ﷺ prohibiting praying standing when the imām prays sitting[99], but then he ﷺ prayed sitting in his illness in which he died, and Abū Bakr prayed standing as a repeater beside him, and he ﷺ approved that[100] So it is established that this abrogated the obligation of sitting for the one that repeats loudly the sayings of the imām specifically. If he wishes, he may pray sitting, which is better according to us, or if he wishes, he may pray standing, both of which are permissible and good. And this is also as you can see the action of the Prophet ﷺ from the religion of Allāh, nor is it specific for him.

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[95] Ṣaḥīḥ al-Bukhārī 457, 2418, 2424, 2706

[96] Sunan Abī Dāwūd 4415, 1416

[97] Ṣaḥīḥ Muslim 1692 | Sunan Abī Dāwūd 4422, 4423, 4424

[98] Ṣaḥīḥ al-Bukhārī 6130 | Ṣaḥīḥ Muslim 2440

[99] Ṣaḥīḥ al-Bukhārī 647 | Ṣaḥīḥ Muslim 623

[100] Ṣaḥīḥ Muslim 418, 95, 2/22

And from that, it is also established that the Prophet ﷺ stood for the jināzah, but then abandoned that[101] it is authentic from ʿĀʾisha that she said that the Prophet ﷺ would pray while she is in front of him and she would dislike to sit and harm the Prophet ﷺ so she would quietly move away as she is[102].

So it is established with this text that the action was after the prohibition because she told that if she sat she would hurt the prophet ﷺ by that and the narration indicates that this was something frequent so an exception is made for the situation of reclining as permissible from the general ruling of a woman breaking the prayer from other situations.

Zayd ibn Arqam said: 'Three men were brought to ʿAlī while he was in Yemen. They had committed intercourse with a woman... He asked two of them: 'Do you acknowledge this child for this man?' They replied: 'No…' Then he cast a lot among them and attributed the child to the one upon whom the lot fell. This was then mentioned to the Prophet ﷺ, and he laughed until his molar teeth became visible.'[103]

He ﷺ does not have joy except with the truth and it is not possible for him ﷺ to hear falsehood then affirm it, and this narration is upright, all its narrators are thiqāt and the ḥujjah by it establishes."

And also they claim if the Prophet ﷺ does something with his actions after he prohibited that act by his words that it is something specific for him, if this act would not be from the religion of Allāh it would not be possible to affirm that it is something specific for him, so they make a severe contradiction here

[101] Ṣaḥīḥ Muslim 962 | Sunan Abi Dāwūd 3175

[102] Ṣaḥīḥ Muslim 512

[103] Sunan Abī Dāwud 2270: Ṣaḥīḥ

Actions of the Prophet ﷺ

The actions of the Prophet ﷺ are not obligatory, it is only recommended to follow them only, abandoning them with disdain (iḥtiqār) which is abandoning them thinking it is not better for you is kufr. But abandoning them believing that having done them is better is allowed Only the actions of the Prophet that in which is carrying out a judgment (in which is bloodshed, honor taken or property taken) are obligatory.

Those who oblige follow the actions of the Prophet ﷺ mention the verses in which Allāh ordered following the Prophet ﷺ in general such as the saying of Allāh, "Those who follow the Messenger, the unlettered prophet, whom they find written in what they have of the Torah and the Gospel, who enjoins upon them what is right and prohibits them from what is wrong and makes lawful for them what is good and forbids them from what is evil and relieves them of their burden." [Al-Aʿrāf: 157]

So they say, "So we must follow him ﷺ in general, whether in his actions or orders which he utters."

We say: In the language, following an action is not understood from the words ittibāʿ, so when it is ordered to follow it is not understood from this in the language to follow an action. It only necessitates following his orders and obedience to what he knows from Allāh.

What clarifies this further is the saying of the Prophet ﷺ, "Whoever does an act that is not upon our order is rejected."[104]

And by his saying, "Everyone will enter jannah except the one that refuses… The one that obeys me enters jannah and the one that disobeys has refused."[105]

And disobedience (maʿṣiyah) is only opposition to an order, not abandoning the following of an act.

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[104] Ṣaḥīḥ Muslim 1718, 18

[105] Ṣaḥīḥ Bukhārī 7280

In the language it is never understood that the one that leaves following an act is disobedient except after he is ordered to follow it.

The Prophet ﷺ only made exception from entering jannah to those that oppose his order only, so those who do not follow the actions without iḥtiqār remain entering jannah so it is established that such a person is not a sinner, and as he is not a sinner he did not abandon an obligation. So it is established that following an act is not obligatory.

In the language it is not understood whatsoever that "Follow my order," means follow what I do.

They also argue with the verse, "Whatever the Messenger gives you take it and what he prohibits you then abstain." [Al-Aʿrāf: 159]

This is not a ḥujjah because ītā in the language is only iʾṭāʾ and an action is not given, only orders are given to us only.

Especially since Allāh followed this saying with a prohibition. And He only threatened the one that opposes his order.

As He said, "So let those beware who dissent from his [i.e., the Prophet's] order, lest fitnah strike them or a painful punishment." [Al-Nūr: 63]

ʿĀʾisha narrated, "The Prophet ﷺ did a thing then he permitted it, this reached people from his companions, as if they disliked it and had tanazzuh of it, this reached the Prophet ﷺ, he said, "What is the matter with the people that reached about me a matter then I permitted it, then they disliked it and had tanazzuh of it, by Allāh I am the most knowledgeable of you of Allāh and the most fearful of him[106].

So the Prophet ﷺ did not reject them abandoning his act but rejected them disliking and having tanazzuh against raghbah against it which is kufr.

And Abū Hurayrah narrated from the Prophet ﷺ, "Leave me what I have left you with, those before you only were ruined by their frequent questioning and their difference with their prophets, whatever

[106] Ṣaḥīḥ Muslim 2356

I prohibit you, then avoid it, and what I order you then do from it what you are able."[107]

He ﷺ did not oblige upon anyone anything except what we are able from what he orders and to avoid what he prohibits only. It is not possible at all in the Arabic language to be said, "I ordered you with what I did." And he ﷺ invalidated omitted the obligation of other than these and ordered them to avoid what he left them with which can only be his order and prohibition not actions.

Allāh only recommended us to follow his actions by his saying, "There has been in the Messenger for you (lakum) of Allāh a good example." [ahzab 21]

Allāh said "lakum (for you)" and the words of obligation is only "ʿalaykum (upon you)" not "lakum (for you)." Using ʿAlayka with fasting, praying and others obliges that upon the one who is addressed with it and when laka is used the one addressed by it is only recommended to do it. In the language in which Allāh addressed us, it is not possible for "ʿAlayka" to be used for recommendations and laka for obligations.

And a man took an oath to the Prophet ﷺ that he would only do the obligatory orders and nothing else, then the Prophet approved his saying[108].

And the Prophet ﷺ even in specific cases asked them why they do what he ﷺ does[109].

[107] Ṣaḥīḥ Muslim 1337

[108] Ṣaḥīḥ al-Bukhārī 1891

[109] Sunan Abī Dāwud 650

Which Actions are Obligatory

As for the actions that are obligatory from the Prophet ﷺ then if his mere action of the Prophet ﷺ involves violating an honor, spilling a blood or taking a property then that is an obligation because the Prophet ﷺ prohibited blood, property and honor except for a ḥaqq right so whenever he takes them with his action it is obligatory and an exception from what is prohibited from the honor, blood and property. Such has the ḥadd of consuming khamr and the Prophet ﷺ thinking of burning the houses of those who do not pray in the mosques with the jamāʿah. So him carrying out such judgments are obligatory. And him wanting to burn the houses of those that remain away from praying in congregation and him lashing the one consuming khamr because when the prophet ﷺ told us that the property and honor is prohibited except for a right then him doing any of it is not for a permissibility but because of an obligation because it is for a right. And his action in these clarify it which is then also obligatory if it exists.

And likewise what is from his actions ﷺ a prohibition from something or an order with something then that is an obligation like him ﷺ removing ibn ʿAbbās from his left and placing him on his right[110]. Even if this is a mere action it is an order for ibn ʿAbbās to stand to his right and a prohibition for him to stand on his left. Only the action that is free of any of these does not have the meaning of order.

If it is said, "The Prophet ﷺ wanting to burn the houses of those that do not pray in congregation in mosques, why don't you say that's permissible but obligatory, while your aṣl is moving a thing if its abrogated to its closest arranged place not to the farthest away from it."

Yes the default is that it moves closest place unless there is evidence that it moves away further away.

[110] Ṣaḥīḥ Muslim 763

And for these cases the Prophet ﷺ said, “I am ordered to fight the people till they say: ‘La Ilaha Illa Allāh,’ if they say that then protected by me is their blood, their property, except with right and their reckoning is with Allāh.”

Then he said that he wanted to burn the houses of those that remain behind from congregational prayers in the mosques so we know by this text mentioned that it is an obligatory ḥaqq that must be carried out, as he stated that he does not allow blood and no property except with ḥaqq and ḥaqq is an obligation.

An Action Contradicts a Saying

If an action contradicts a saying, such as when he ﷺ prohibits but it is also narrated that he ﷺ did it. Then if it is known that the action was after the saying then it abrogates the prohibition and that is a clarification that the saying prohibiting it is removed because the Prophet ﷺ does nothing prohibited, it is not allowed to say about anything the prophet ﷺ does that it is specific for him except with a naṣṣ about that, because he ﷺ got angry about the one saying that about him, and everything angering him is prohibited. The Prophet ﷺ said in that same narration, "By Allāh I am the most fearful of Allāh among you and the most knowledge able of what I do and do not do."[111] So he is aware of all he does and it is not allowed to claim that he does it unknowingly. That is only allowed to be affirmed for him if that is additionally established otherwise not. And in this narration there is in it that it is not allowed to say that anything is specific for the Prophet ﷺ, even without this narration it is against the established principles clarified before that the Prophet ﷺ is sent for everyone and We mentioned the authentic narrations about it before. And that clarifies that only when there are texts that specifically affirm being something specific for him that it is then specific for him. Such as with the ruling of wiṣāl of fasting and his saying prohibiting them from it, "I am not like you."[112]

And like his sleep and then praying without renewing wuḍūʾ when he was asked about it he said, "My eyes sleep and my heart does not."[113]

So whatever comes as we mentioned with clarification that it is specific for him then it is specific for him and when it is not then we can follow him in that and there is for us great reward in that.

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[111] Ṣaḥīḥ Muslim 1110, 79

[112] Ṣaḥīḥ Muslim 1102

[113] Ṣaḥīḥ Muslim 738

And another example is when the Prophet ﷺ prohibited praying standing if the Imām sits, but then he ﷺ prayed sitting in the illness he passed away in and Abū Bakr prayed in that state next to him while standing and he was a mudhakkir then he ﷺ let him do that, so we know that this abrogates the obligation of sitting for the mudhakkir alone, and if he prays sitting then that is better, both is allowed.

As for when it is not known which ruling was before, the order or the action then the addition must be taken, just as we did with the prohibition of drinking while standing[114]. While it is narrated that he ﷺ would drink while standing[115].

And the prohibition of the Prophet ﷺ against lying down while placing one foot on the other[116].

But it is also narrated that he was lying down doing that in masjid like that[117].

So here the addition must be taken which is the prohibition which abrogates the permissibility because the aṣl is the permissibility of lying down in any case and lying on whatever a person wants and the permissibility of drinking in any case. And we are certain that we are changed from this permissibility to the prohibition in both cases without doubt and no one can know if it got abrogated after the prohibition or not. It is not allowed for anyone to abandon the certainty for what is not certain whether it abrogates or not. The certainty is not invalidated by doubt.

Another example is the saying of the Prophet ﷺ, "Eat what is next to you."[118]

While it is established that he eat gourd going after the pumpkin round the plate[119].

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[114] Ṣaḥīḥ Muslim 2024
[115] Sunan Abī Dāwud 3718
[116] Ṣaḥīḥ Muslim 2099
[117] Ṣaḥīḥ Muslim 2100
[118] Sunan Abī Dāwud 3777
[119] Sunan Abī Dāwud 3782

While there is not in it that he ﷺ did not eat from what was next to him it is possible that he followed from the plate of what was next to him.

And this is unlike with the sayings of him ﷺ so if he says a thing permitting it, but there is also a general prohibition about it in his saying, but making istithnāʾ is possible for the permissibility then istithnāʾ must be made from the lesser meaning from the more general, because a saying is clear clarification and there is not in actions clarification to the intended meaning, not by making Takhṣīṣ or others.

So the conclusion is that if two sayings contradict and it is possible to make istithnāʾ of one of hem from the other then both must be used together and whether it is certain that one of them is revealed before or not.

Because we say that a Takhṣīṣ is merely the intended meaning of the general and for this it does not matter that ʿām text is revealed before or after the khuṣūṣ text.

But with abrogations there is the invalidation of the ruling of the one before this is an additional claim and this requires additional certainty that the ruling was replaced with the other.

So merely knowing about sayings what became before or after is not what determines naskh. There must be decisive evidence from naṣṣ or a contradiction that does not make istithnāʾ with the other possible.

But if it is an action after the saying then the saying is abrogated because as said before an action is not a clarification it cannot indicate a Takhṣīṣ.

As for when an action and saying contradict then as said before if it not known which one was revealed before or if it is known that the action was before then the saying abrogates the action it is not allowed to specify, because with actions it is not possible to specify a time, its condition, its place, there is no clarification in an action of a limit or generality.

And if an action is after a saying then specification must be made of that situation of that action without doubt, because this is that which is certain, there is no certainty of the time in which that action occurs and also not the place, and it is not allowed to rule in the religion doubts.

An example for this is what we did with what is authentic that a woman breaks the prayer. Then it is authentic from ʿĀʾisha that she said that the Prophet ﷺ would pray while she is in front of him and she would dislike to sit and harm the Prophet ﷺ so she would quietly move away as she is[120].

So it is established with this text that the action was after the prohibition because she told that if she sat she would hurt the prophet ﷺ by that and the narration indicates that this was something frequent so an exception is made for the situation of lying (iḍṭijaʾ) as permissible from the general ruling of a woman breaking the prayer from other situations.

If it is said, "You said before that an action after a saying abrogates the action."

Then yes that is if it is certain that there was a change in the ruling, not and not an indication that the action that specifies is the intend of the general saying that preceded it.

I mentioned the example of when the Prophet ﷺ prohibited praying standing if the imam sits, but then he ﷺ prayed sitting in the illness he passed away in, and Abū Bakr prayed in that state next to him while standing and he was a mudhakkir then he ﷺ let him do that.

The difference between this and the narration before about the woman breaking the prayer is that the ʿĀʾisha doing that with the prophet ﷺ indicates frequency in it occurring while this prayer of the Prophet ﷺ during his illness is not, so we know that when the Prophet ﷺ let Abū Bakr pray that it was not merely the intended meaning

[120] Ṣaḥīḥ Muslim 512

making of the ʿumūm as specification but an abrogation for the mudhakkir.

Another example for this is that when we say that wuḍūʾ for janābah is only recommended not obligatory, there is the narration obliging it[121].

And there is the action of the Prophet ﷺ, "The Messenger of Allāh ﷺ would sleep in a state of janābah and would not touch water."[122]

So the default would be that it is obligatory but because of the reason this is a persistent action of the Prophet ﷺ this wording indicates that he ﷺ used to persistently do it, and she was the most last of people in contact with his sleep, how he would sleep while in a state of janābah and in a state of ṭahārah. So we know that the intended meaning of the order is then recommendation because it is not possible to specify a state so it returns to recommendation.

Another example is the prohibition of the Prophet ﷺ from fasting if it is half of Shaʿbān and then to stop fasting till Ramaḍān[123].

The apparent meaning of this prohibition is the prohibition of any day after half of Shaʿbān. Then there is the Ḥadīth the Prophet ﷺ used to fast all of Shaʿbān except few and that he would connect Shaʿbān to Ramaḍān by fasting[124]. The default would be that the prohibition rules over But the wordings in these narrations indicate that the Prophet ﷺ would do it often persistently, and in this case there is another narration that fasting 16th of Shaʿbān is prohibited so we do not say it is disliked to fast but that it applies then specifically for the 16th of Shaʿbān[125].

As for a thing the Prophet sees or hears and it reaches him then he does not reject it and does not order anything then that thing is

[121] Ṣaḥīḥ Bukhārī 290
[122] Sunan Abī Dāwud 228: Ṣaḥīḥ
[123] Musnad Aḥmad 9707
[124] Sunan al Nasāʾī 2351, 2178
[125] Sunan Abī Dāwud 2337

permissible. Because Allāh described his Prophet ﷺ as, “Those who follow the Messenger, the unlettered prophet, whom they find written [i.e., described] in what they have of the Torah and the Gospel, who enjoins upon them what is right and prohibits them from what is wrong and makes lawful for them what is good and forbids them from what is evil.” [Al-Aʿrāf: 157]

If the thing he perceived was munkar he would have prohibited it without doubt so when he does not, we know that it is not munkar and as it is not munkar then it is allowed and the allowed is maʾrūf.

From this is the singing of the two slave girls which he heard and did not reject, then he rejected Abū Bakr rejecting that[126].

So with this it is established wht we said by naṣṣ and it is obligatory to make rejection on the one that rejects what he ﷺ knows then acknowledged.

And from this type is the dancing of the Sudan, ʿUmar prohibited them then the Prophet ﷺ rejected his rejection[127].

And from this type is the dolls that the Prophet ﷺ saw with ʿĀʾisha there was in it a horse with wings[128], while the Prophet ﷺ prohibited taṣwīr[129]. So this is then a specification from that.

And another example is him ﷺ rejecting images (ṣuwar) on sitr (curtains)[130].

And likewise is what the Prophet ﷺ abandoned and did not abandon and ordered nothing about, this is permissible makrūh, whoever abandons it is rewarded and whoever does not do it does not sin and is not rewarded, such as the one that eats reclining and the one listening to the flute of the shepherd.

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[126] Ṣaḥīḥ Muslim 892
[127] Ṣaḥīḥ Muslim 893
[128] Sunan Abī Dāwud 4932
[129] Ṣaḥīḥ Muslim 2106
[130] Ṣaḥīḥ Muslim 2101

Some people said about an action a Prophet ﷺ does, “If he ﷺ does not persist in this act and it is not a saying of him, then it is taken upon its generality.”

The answer: Everyone with correct senses know that an act is not a saying such that it can be taken upon its generality, but it is either a clarification of a saying, then it is known that it is the intended meaning of that saying such as the saying of the Prophet ﷺ, “Whoever consumes khamr then lash him.” Then when he ﷺ lashed the one consuming khamr forty times with his hand, and with sandals and with the side of a thawb that is then a clarification of the description of the ordered lashing and a clarification for its amount, if this would not be the case we would not know how much to lash, there are many times of such.

And such as when the questioner asked him about the times of the prayer then the Prophet ﷺ told him to witness the prayer with him, then he ﷺ taught him by that the times of the Prayer, this is one type. Or it is an act mubtadaʾ (initiated (new)) (independent), then there is in it following him ﷺ and getting closer to Allāh by that.

And as there is no ʿumūm to an act, then it has the meaning that is understood from the apparent, known and not allowed to restrict it to some of its cases without others, because no naṣṣ and no ʿaql obliges that at all.

Such as what is established about the Prophet ﷺ wiping in wuḍūʾ on the khimar and ʿimāmah and him ﷺ praying the voluntary prayer on the donkey and on the camel wherever the animals head towards and when the obligatory prayer would come he would come down on the land to pray. And like this there are many.

Then whoever wants to restrict the wiping on the ʿimāmah and the khimar because of this narration is mistaken because there is no naṣṣ obliging restricting on that, the one restricting to that innovates a religion with his raʿī without evidence.

Suppose a narrator said about the Prophet ﷺ, "The Messenger of Allāh ﷺ wiped over a yellow turban for the ẓuhr prayer, and over a black khimār."

Do you then restrict wiping to only a yellow turban and only a black khimār? Or would you restrict that to al-Madīnah only? Or to that one specific prayer only? This is an obvious falsehood.

And likewise, it implies that he must not pray a voluntary prayer except on the road to Khaybar while riding a donkey or a she-camel; and as for a mule, then no and also not a horse.

And likewise, if the narrator would say about the Prophet ﷺ, "On a white donkey," then it implies that he must not pray except on a white donkey. And so on.

And it implies for the one who limits the shortening of the prayer in that duration to Ḥajj and jihād, that he must also not shorten except in Makkah and Tabūk. All of this is an error with no obscurity.

But the truth of the matter known by the necessity of reason and observation is that when the Messenger of Allāh ﷺ wiped over the turban and the khimār, he informed us that directly touching the head with water is not an obligation. Since this is the case, the obligation is merely wiping whether upon the skin of the head, or upon the hair, or upon whatever is worn upon the head, whatever it may be, so long as it is permissible to wear.

And likewise, when the Messenger of Allāh ﷺ performed a voluntary prayer while mounted on a donkey or a she-camel in a direction other than the qiblah, we understood that facing the qiblah in voluntary prayers is not obligatory for one who is riding whatever he happens to be riding.

And likewise, when the Messenger of Allāh ﷺ shortened the prayer for twenty nights in Tabūk, we understood that this duration is excluded from the ruling of residing in any journey in which a traveler stays that length of time. And so it is in every action authentically established from him.

Naskh

Naskh (abrogation) is the ending time of an order and it is an order that does not repeat, as for what is connected to a time and that ending time ends, then this is not a naskh, otherwise the prayers, fasting and menstruation would be abrogated and this is not the case. And naskh is one type from the types of delayed clarification. One type is that which its essence of is not understood and this is the mujmal, such as when Allāh ordered, “Perform the Prayer and give the Zakāh.” [Al-Baqarah: 43]

We clarified everything about this category before, and the time of tasking, meaning the time in which we are obliged such orders, are only when the intended meaning of such order comes. And when the clarification is not found then the intended meaning is that we are tasked with it the moment it came and must do whatever its wording necessitates.

The second type is an act ordered at a specific time and it precedes in the knowledge of Allāh that he will transfer us from that at another time. And when that time comes Allāh clarifies what was hidden from us from this transferring from that act to another and this is abrogation (naskh).

Naskh in the language means two things: One is taʿfiyah which means removal and the second is renewal. And the first meaning is what we mean in this chapter not the second I only mention this so that it is known that this meaning is not intended.

Types of Abrogations

Orders that are established/valid and abrogated orders divide in four:

The first is that of which its ruling and word is established.

The second is that of which its word and ruling are removed,

The third is that of which its word is removed but its ruling remains.

The fourth is that of which its ruling is removed but its wording remains.

The last three are that which abrogations occur on obviously.

An example for the second in which the word and ruling are removed is the matter of ten breastfeedings that make a maḥram.

And from this is also what Abū Mūsa al-Ashʿarī said that they would recite in the time of the prophet ﷺ that which was as long as Sūrah Barāʿah and it was forgotten then removed from memory[131].

Allāh has said this as well, "Whatever verse we remove or make forget, we bring better than it or the like of it." [Al-Baqarah: 106]

Then the category in which the words are removed but their ruling remain, from this is the verse about stoning[132]. And the five sucklings that make a maḥram.

And then the category of which the ruling is removed but the wordings remain. From that is the saying of Allāh, "Confine (the women) to houses." [Al-Nisāʾ: 15]

And the saying of Allāh, "And upon those who are able [to fast, but with hardship] - a ransom [as substitute] of feeding a poor person [each day]." [Al-Baqarah: 184]

As for the difference between naskh and insāʿ causing to forget, Allāh said, "Whatever verse we make naskh of or cause to forget we bring better than it or the like of it." [Al-Baqarah: 106]

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[131] Ṣaḥīḥ Muslim 1050

[132] Ṣaḥīḥ Muslim 1691 | Sunan Abī Dāwud 4418

Forget here is recited as ‘nunsihā,’ and in another qirāʿah it is recited as ‘nansaʿuhā,’ which is the recitation of Abū ʿAmr and ibn Kathīr. The meanings of all recitations must be taken equally.

The meaning of the two words are different, naskh as clarified, its meaning is the removal of a ruling. And as for ‘nunsihā,’ its meaning comes from nisyān which is the removal of a word entirely. And as for ‘nansaʿuhā’ it comes from taʿkhīr (delayment), its meaning is, “We delay an action to a certain time.”

In What Naskh Occurs

Naskh is not possible at all except in speech of which the meaning is an order or prohibition. And all speech is of four types: order, desire, question, informing. So on informing, question, and desire no naskh occurs, because returning from these three is called istidrāk which is rectifying, and this is something negated for Allāh because rectifying from these only means declaring the information false and turning away from it or an emergence of knowledge or dislike regarding what the question was about due to some newly-occurred circumstance, or due to knowledge of something that was previously unknown. As for retracting a desire, it is called istiqālah or an abstention from what one had previously lowered oneself to. Then what remains is returning from an order by bringing another order so it is called naskh. And if there comes a speech of which its wording is khabar and its meaning is the meaning of order then naskh in it is possible because its meaning is an order.

Such as the saying of Allāh, "And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days." [2:234]

If this would be a khabar it would not exist among us but there does exist among us disobedience to this.

And likewise is the saying of Allāh, "the standing place of Abraham. And whoever enters it is safe." [3:97]

This is only an order for us to make safe everyone that enters the standing place of Ibrāhīm, this is not a khabar if it would be a khabar then it would be a lie because people have been killed around it unjust. It exists in every language that a command can be expressed using the wording of a khabar or using the wording of a question; for example, when someone says to his servant: "Will you do such-and-such a thing?" or "Do you see what is suitable for you?" This is because a khabar about something is an affirmation regarding what is being reported about it, and an order is an affirmation for the one ordered to

perform it. So there is an ishtirāk (connection) between the ṣīghah (form) of the khabar and the ṣīghah of the command. So, when someone says: "It is incumbent upon you to go to Zayd," this is a grammatically sound khabar, and its meaning is: "Go to Zayd."

And likewise is the saying of Allāh, "For Allāh upon the people is Ḥajj to the house for whoever is able to find a way to it." [3: 97]

Its meaning is, "Perform Ḥajj O people whoever of you is able to."

And likewise if someone says, "I have obliged you to go to Zayd," this is a valid correct khabar in its structure and its meaning is obliging him to go to Zayd.

And likewise is the verse, "Written upon you is fasting just as it was written upon those before you." Its meaning is, "fast!"

Whatever is of khabar in this manner then naskh in it is possible

As for what is a purely khabar such as: "Zayd stood up," "ʿAmr sat down," "Yesterday such-and-such a sermon took place," "Zayd is now standing," or "Tomorrow such-and-such an event will occur," in this case it is not possible for naskh in it to occur at all (abrogation), because that is a rectification/declaring false of this khabar. And Allāh, exalted is He, is free from falsehood. By informing us, He assures that His statement is true, as He says: "So the truth is, and the truth I say." [Ṣād: 83]

And He, exalted is He, is described as one who abrogates, transforms, and substitutes matters by His words: "Allāh erases what He wills and confirms [what He wills]; and with Him is the Mother of the Book," [Ar-Raʿd: 40] and "He grants sovereignty to whom He wills, and He strips sovereignty from whom He wills; He honors whom He wills and humiliates whom He wills," [Āl ʿImrān: 26] and "He misguides whom He wills and guides whom He wills" [An-Naḥl: 93]. And by informing us that He acts regarding every matter every day, He shows that all such occurrences are in His knowledge and power.

Some people have made grave mistakes in this chapter they are those who mention the narration of the domesticated animal that ate a

page in which a recited verse was on and that it then disappeared forever[133]

This is weak as Muḥammad ibn Isḥāq is weak.

And they mention that ʿUthmān took a Qurʿān based on the testimony of one man and one man.

And they mention that ʿUthmān invalidated the qirāʿāt that were in the time of the Prophet ﷺ and gathered the people on one qirāʿah.

All of this is false no one is allowed to believe any of it.

Allāh said, "We have revealed the revelation and we guard it." [Al-Ḥijr: 9]

Whoever doubts in this is a kāfir.

About the domesticated animal eating the page with Qurʿān on it is weak but even if it would be authentic it is impossible because the domesticated animal eating it does not cease from two possibilities:

Either the prophet ﷺ preserved it by remembrance.

Or the prophet ﷺ was made to forget it if he remembered by remembrance then it does not matter if the domesticated animal ate it or not. And if the Prophet ﷺ was made to forget it, then whether the domesticated animal ate it or not does not matter. Because Allāh has removed it and it is not allowed to affirm it as. As Allāh said, "We will make you recite, [O Muḥammad], and you will not forget, except what Allāh wills." [Al-Aʿlā: 6-7]

So Allāh stated that he ﷺ does not forget anything from the Qurʿān except what Allāh wills to remove by making him forget. Everything Allāh removed from the Qurʿān was only removed in the time of the Prophet ﷺ As Allāh said, "We have revealed the revelation and we guard it." [al-Ḥijr: 9]

As for the action of ʿUthmān, then the Prophet ﷺ did not die except while the Qurʿān was gathered as it was, arranged as it was with nothing removed or added to it and nothing changed from it, and the

[133] Sunan ibn Mājah 1944 | Musnad Aḥmad 1944

qirāʿāt in the time of the Prophet ﷺ remain all of them as they are and he did not remove any of it.

Some people claim, “The verse about stoning was not in the Qurʿānd the verse about breastfeeding was not in the Qurʿān.”

We do no reject this and do not decisively affirm that it was a Qurʿān that was recited in the prayers but we say that it was a revelation revealed by Allāh to his Prophet ﷺ with that which He revealed to him ﷺ from the Qurʿān so the recited affirmed in the maṣāḥif was recited in the prayers and the other revelation transmitted, preserved are acted upon like the remaining of his ﷺ sayings which is revelation only.

And we do not reject that verses can be removed in the time of the Prophet ﷺ from the hearts completely because of the verse, “We will make you recite, [O Muḥammad], and you will not forget, except what Allāh wills.” [Al-Aʿlā: 6-7]

And because of the saying of Allāh, “Whatever verse we abrogate or cause to forget.” [al-Baqarah: 106]

We do not allow this after the passing of him ﷺ because Allāh said, “We bring better than it or the like of it.” [al-Baqarah: 106]

Allāh only made a condition for removing a verse by brining better than it or the like of it and there is no way for this after the passing of the Prophet ﷺ and revelation from Allāh ends by the passing of him ﷺ.

And it is impossible that he ﷺ forget anything of the Qurʾān before conveying it. But when he has conveyed it and the people have memorized it, then we do not deny that he ﷺ might forget it afterward, because it is (then) preserved and established.

And something of this sort has come in an authentic narration: that he ﷺ heard a man reciting the Qurʾān, so he invoked mercy for him, and informed that he reminded him ﷺ of an āyah he had forgotten. For he ﷺ had already conveyed it as he was commanded. as narrated from ʿĀʾishah: that the Prophet ﷺ heard a man reciting at night, and he said, “May Allāh have mercy on him; he has indeed reminded me of

such-and-such āyah which I had dropped from such-and-such sūrah."[134]

And ʿAbdah and Abū Muʿāwiyah reported it from Hishām: "He reminded me of an āyah I had been made to forget."[135]

[134] Sunan Abī Dāwud 1331

[135] Ṣaḥīḥ Muslim 788

The Abrogating Ruling Becomes Abrogated Again

It is possible for a ruling to be permissible then be abrogated to a prohibition, then become abrogated to a permissibility and then again be abrogated to be prohibited. There is nothing preventing its possibility. And it is just as with the ruling of mutʿah. There are many different narrations in which the Prophet ﷺ allowed mutʿah and then prohibited it afterwards and then allowed it again[136].

[136] Ṣaḥīḥ Muslim 1405, 18: Ṣaḥīḥ

How Abrogations Change Ranks

The Sharīʿah is five as clarified before: ḥarām which is followed by karāha obligatory which is followed by nadb. And between karāha and nadb is the mere permissibility.

If an obligation is abrogated: then if it is by the words, “Do not,” after it was ordered to do then it changed to prohibition because this is the form of prohibition.

If the obligation is abrogated by saying, “There is no blame upon you,” or with a lightening word or with abandoning or by an action then it does not move except to the closest rank to it which is nadb, it does not move to mere permissibility as that is further away from obligation than nadb is to obligation as orders can be mandūb.

Such as the fasting of the day of ʿĀshūrāʾ, for when its obligation became abrogated it moved to nadb.

And likewise is the abrogation of prohibition. If that happens with the words, “do!” it changes to obligation because this is the form of obligation. And when it is abrogated by, “there is no blame,” or by a lightening it changes to the closest rank which is karāhah.

And if karāha and nadb are abrogated by the word, “Do!” They change to obligation and if they are abrogated by, “Do not” then they change to prohibition.

And if these two are abrogated by a lightening then they change to a mere permissibility as this is closer to these two than prohibition and obligation. As makrūh and mandūb are both something mubāḥ.

It is also possible for an obligation to be abrogated with another obligation.

Some of a Verse Getting Abrogated

If a verse or a Ḥadīth has multiple rulings and another text indicates that only one of that ruling is abrogated or only one of it has Takhṣīṣ then it is not allowed for anyone to claim that the others are abrogated or are specific.

An example of a wrong way of claiming abrogations is by claiming a ruling is related to another ruling and because that other ruling is abrogated the ruling claimed to be related is also abrogated. This is wrong. Such as the ruling of suckling Sālim, a group of people claimed, "This was only a ruling about adoption and adoption is abrogated by the verse: 'Call them for their fathers.' [Ahzab 5] then since adoption is invalidated the ruling connected to it is also abrogated and since it is not known which rulings was before, the Ḥadīth about Sālim or the saying of the Prophet ﷺ, 'suckling is from hunger,' it is obligatory to take from the addition to the maʿhūd al-aṣl so the saying of the Prophet ﷺ, 'suckling is only from hunger,' with the verse, 'The mothers shall give suck to their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling,' [2:233] are additions to the maʿhūd al-aṣl in making a maḥram by suckling in general, any suckling, so it is obligatory to take from the addition."

This is false because the ḥadīth of Sālim is instead the addition and is what must be taken from because the saying of Allāh, "The mothers shall give suck to their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling," [2:233] invalidates what comes after 2 years, so the ḥadīth of Sālim becomes the addition above the verse and rules over it that the making of maḥram extends forever.

How to Know the Abrogating From the Abrogated

If we find the two orders for which it is impossible to use them together; or if we find that one of them came after the other without doubt; or if we find a clear text indicating that it is abrogated, and we find a text of that in which is a prohibition after a command, or a command after a prohibition, or a change from one level to another as we have clarified; then we have certainty of abrogation.

An example is the saying of the Prophet ﷺ, "'I forbade you from visiting graves, so visit them; and I forbade you from making nabīdh except in water-skin, so make nabīdh)."'[137]

Another example is the statement of Jābir, "'The last of the two commands from the Messenger of Allāh ﷺ was to wash what the fire had touched from ablution."'[138]

And an example is what is narrated regarding that he ﷺ made rukhṣah (making something easier, by allowing what is prohibited) for cupping (ḥijāmah) for the fasting person; and a rukhṣah does not occur except after a prohibition. And cupping requires the action of both the one performing the cupping and the one being cupped, so these are two aspects.

Or we find a case in which we are certain of its nullification and removal; and another case in which we are certain of its revelation and obligation, and the removal for the first case; then a text comes from the Qurʾān or a ḥadīth corresponding, going in accordance to the abrogated case which had been invalidated with certainty.

Except that we do not find in it a text specifying whether this corresponding text for that abrogated case came before the emergence of the abrogating case or after it.

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[137] Ṣaḥīḥ Muslim 977

[138] Al-Mujtaba 185

If it is like this then it is obligatory to not leave what we are certain of its obligation upon us and it is prohibited for us to return to the state we are certain is removed from us. Except if there is a clear text returning us to the first state and removes us from the second state and whoever transgresses this speaks with what he has no knowledge and uses doubts and assumptions that are not allowed.

So every ruling we are certain that it is invalidated then it is false forever till a text comes that it has returned after invalidity, otherwise not.

An example for this type is that we are certain that the permissibility of marrying more than four wives is removed and that marrying more than four is prohibited on everyone other than the Prophet ﷺ with certainty.

Then there has come a narration giving a choice to the one that became Muslim while he had more than 4 wives[139].

This Ḥadīth goes in accordance to the abrogated state of abandoning marrying more than four wives because they married while it was not prohibited then the prohibition came and they chose 4 from them, while the one initiating more after the ruling is invalid so it is established that the choosing 4 from more is an abrogated ruling this was only for those that had more than 4 before marrying more than 4 was prohibited.

Another example for this is what we are certain that in the beginning of Islām if a man slept in the nights of Ramaḍān intercourse, eating and drinking was prohibited then this was abrogated then the Ḥadīth came from the Prophet ﷺ that whoever meets Ṣubḥ while he his junub that he has invalidated the fast.

So we know that this Ḥadīth goes in accordance with the abrogated state and are certain that this ruling is removed and by the permissibility of intercourse till the fajr appears.

[139] Sunan al-Tirmidhī 1128 | Sunan ibn Mājah 1953

And from this is that we are certain that waṣiyyah was not obligatory in the beginning of Islām, then its obligation came on the parents and the close relatives. Then the Ḥadīth came of ʿImrān ibn Ḥuṣayn about the one that died and the prophet ﷺ did not apply waṣiyyah on him with his 6 slaves[140].

So we know that this goes in accordance with the removed state that no waṣiyyah is obligatory for the parents and the close relatives And it is not allowed to return to the state we are certain is abrogated.

So it is established that everything that has the meaning of the previous state from permissibility of waṣiyyah for the parents and close related is abrogated with certainty.

So whoever allows abandoning certainty for doubt. Is like the one that says qisas is abrogated because of the prohibition of mutilation and like the one that says wiping on the socks is abrogated by the verse of wuḍūʾ in al-Māʿidah and let them say eating donkeys and predatory beasts are ḥalāl and its prohibition is abrogated by verse 145 of al-Māʿidah.

Such claims of abrogations are false because there is no certainty of these replacing those rulings, and it is possible to use both while both are both independent rulings which is the default and it does not replace invalidate a ruling except with certainty not in such a manner which are mere doubts.

And likewise is the saying about the breastfeeding of Sālim, as it is connected to adoption and adoption is abrogated then the ruling connected to it would also not abrogated and everything of which its cause is invalid then the thing caused is also invalid. This is false because there is no naṣṣ and no necessity that this ruling is specific only for adoption, it is instead general and it is not allowed to specify it without evidence.

So these are the ways of abrogations:

[140] Ṣaḥīḥ Muslim 1668 | Sunan Abī Dāwud 3958

Either a history that one of the orders came after the other while the inability to make use of the two together.

Or a naṣṣ that this order abrogates the other.

Or a certainty of the invalidity of a state which is the change of all states that go in accordance with that.

As for that which the naṣṣ clarified is the saying of Allāh, “We have not made the qibla you are upon except to know who follows the prophet from who turns on his heels.” [Al-Baqarah: 143]

Then Allāh said, “So we will turn you to a qibla you are pleased with.” [Al-Baqarah: 143]

This is a clear history that the qibla that was before this is Mansūkha and that directing to the Kaʿbah was after hat qibla.

And likewise the saying of Allāh, “Now enter upon them.” [Al-Baqarah: 187]

This is abrogates the prohibition of intercourse in the night of Ramaḍān.

And likewise the saying of Allāh, “Whoever witnesses among you the month then let him fast.”

This abrogates his saying, “And upon those who are able is a fidyah of feeding the poor whoever volunteers it is good for him and to fast is better for you.” [Al-Baqarah: 185]

It abrogated the permissibility of fasting and feeding to obligatory fasting. And likewise Qiyām al-Layl is abrogated from farḍ to nadb.

Arrangement of The Muṣḥaf Does Not Affect

It does not matter or harm an abrogated verse being in the muṣḥaf before the abrogating verse. Because the verses and chapters of the Qurʿān are not arranged based upon their revelation.

The Easier Order Being Abrogated by the More Difficult

It is possible for the easier matter to be abrogated by a more difficult, it is not a condition that an abrogation must always be easier than the previous.

The Abrogation of Something Before it is Acted Upon

It is possible for there to be an order and then for it to be abrogated before it is acted upon, the prophet ﷺ abrogated from us the obligation of forty-five prayers every day before anyone acted upon it[141].

If it is said, "In the end of the Ḥadīth Allāh says, 'It is five and it is fifty the saying does not change with me.'"

This in the Ḥadīth only clarifies our saying because five is not fifty in amounts so what is only meant is that it is five in amount and fifty in reward. And another decisive evidence for this is that Allāh decreased it to 45 then 40 then 35 then 30 and so on.

And the isrāʾ happened and night and it was not Ṣubḥ except while the prophet ﷺ had returned to Makkah so it is impossible that he ﷺ ever acted upon it and he was constantly returning from Allāh to Mūsa.

And such as the orders of the Prophet ﷺ in which he said that in the future there would be oppressive rulers whom we cannot rebel against, but then this is abrogated by other nuṣūṣ so this is abrogated before it was acted upon.

And such as the ḥadīth of Zubayr, when he disputed with the Ansari over the water of the channels of Mahzur and Mudhaynib[142].

A man from the Anṣār and al-Zubayr ibn al-ʿAwwām were arguing about how to share the water flowing through irrigation channels. The Prophet ﷺ ordered al-Zubayr to irrigate his land briefly and then let the water flow to his neighbor. Then before it was acted as the Anṣārī heard this, he accused the Messenger ﷺ of being biased because al-Zubayr was his relative. The Prophet ﷺ ordered al-Zubayr to irrigate his land take all the water he is entitled to and hold the water until it reached the boundary of his field.

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[141] Ṣaḥīḥ Muslim 163 | Ṣaḥīḥ Bukhārī 349

[142] Ṣaḥīḥ Muslim 2357 | Sunan Abī Dāwud 3637

And Allāh ordered Ibrāhīm to slaughter his son and Ibrāhīm said, “Indeed, this was the clear trial.” [Al-Ṣāffāt: 106]

This is clear clarification that what he was ordered with is abrogated before it happened, the saying of Ibrāhīm invalidates the claims of those who claim that Ibrāhīm was only ordered to move the sword on his son only.

If it is said, “If Allāh would order something, saying: Work according to this order for eight consecutive days, or saying: Forever, would it be permissible for this to be abrogated or not?”

Then yes Abrogation is possible in this case, because it falls under the category of abrogating something before it is acted upon. There is no difference between Allāh ordering us with fifty prayers to perform, then abrogating them from us except for five before we performed them, and between Him ordering us with some action forever or for eight days, then abrogating it from us before the completion of that action. Lying does not enter into orders and prohibitions; lying only enters into akhbār (informative statements). So if that order came with such time-specification in the form of a khabar, then its abrogation would not be possible because that would be pure falsehood. Falsehood occurs in akhbār.

This differs from an order that comes in the form of a khabar without being tied to a specific time. Abrogation is permissible in that case because it is not falsehood; instead such abrogation is a clarification of the time-period during which that action was obligatory of us.

As for that which comes in the form of a khabar indicating perpetuity, its abrogation is not permissible such as the saying of Allāh, “They are five, and they are fifty; the word with Me is not changed.”[143]

If this would be abrogated, this statement would be false.

And likewise his ﷺ statement, “Rather, for all eternity, ʿUmrah has entered into Ḥajj until the Day of Resurrection.”[144]

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[143] Ṣaḥīḥ Muslim 163

[144] Ṣaḥīḥ Muslim 1241

And likewise his ﷺ statement regarding mutʿah if it would be authentic, “It is forbidden by the prohibition of Allāh until the Day of Resurrection.”[145]

If these two rulings would be abrogated, then these two statements would be false because the existence of what we were informed would continue until the Day of Resurrection would be nullified. And with Allāh Most High is success granted.

[145] Ṣaḥīḥ Muslim 1406

Sunnah Abrogates Qurʿān

The Sunnah whether a khabar al-wāḥid or mutawātir can abrogate the Qurʿān and the Qurʿān can abrogate the khabar al-wāḥid and the mutawātir Sunnah. The obligation of obedience to the sunnah whether a khabar al-wāḥid or mutawātir are the same and same to the obedience to the Qurʿān without any difference, all of it is from Allāh.

Allāh says, "And he does not speak of desire, it is only a revelation revealed." [Al-Najm: 3-4]

Whatever comes from the Prophet ﷺ is waḥī except what is excluded and everything from the Qurʿān is also waḥī, and the waḥī abrogates the waḥī, all of them are the same in that they are waḥī.

Those who refuse the possibility of this use as evidence the verse, "It is not for me to change it of my own accord." [Yūnus: 15]

This is not a ḥujjah for them because we do not say that the Messenger of Allāh ﷺ changed it of his own accord, and whoever says this is a kāfir. Rather, we say that the Prophet changed it by a waḥī from Allāh, the Exalted, as Allāh ordered him to say, "I only follow the waḥī revealed to me." [Al-Anʿām: 50]

So it is established with this text the validity of the abrogation of waḥī by waḥī, and the Sunnah is waḥī, so it is possible for the Qurʿān to be abrogated by the Sunnah and the Sunnah by the Qurʿān.

They also use the verse, "This is a Book whose verses are uḥkimat and then presented in detail from one who is Wise and Aware" [11:1].

So they say, "All verses are then uḥkimat which are then muḥkam and the muḥkam are unabrogated verses, so nothing from the Qurʿān is abrogated."

The answer: Yes, all verses are muḥkamah except if they are abrogated as exceptions just as other exceptions such as ḥurūf al-muqaṭṭaʿah which are completely unknown in meaning and makhṣūṣah verses which are all not muḥkamah."

Those who prevent the Sunnah abrogating the Qurʿān mention the verse, “Whatever verse we abrogate or cause to be forgotten we bring better than it or the like of it.” [Al-Baqarah: 106]

This is not a Ḥujjah for them because some of the Qurʿān is also not better than other of the Qurʿān! So the meaning because of that is only, “We bring better than it for you or the like of it.” So it is not about the essence of what is revealed as all of that is the same but it is but only better from our aspect, and that can be a Sunnah abrogating the Qurʿān! And it can be better or the like of it either that: Acting upon the abrogating Nāsikh is better than acting upon the abrogated Mansūkh. And the reward is then either better in the Nāsikh than the Mansūkh. Or it is made equal. We are made sure than the abrogating is never less in reward than the abrogated, it is either equal or better. And also the Sunnah equal to the Qurʿān in two ways:

The first is that both of them are revelation from Allāh

The second is that both of them are equal in the obligation of obedience to both of them. By the saying of Allāh, “Whoever obeys the Messenger has obeyed Allāh.” [Al-Nisāʾ: 79]

And by the saying of Allāh, “Obey Allāh and obey the Messenger.” [Al-Nisāʾ: 59]

The two only are different in that nothing is written In the muṣḥaf except the Qurʿān and that the Qurʿān is recited and that only the Qurʿān has iʿjāz.

So acting upon the abrogating Ḥadīth is better than acting upon the abrogated verse and more rewarding than it as we have said.

And if they say, “And the saying of Allāh, ‘We bring,’ the ḍamīr (noun) is for Allāh, so it is obligatory that nothing abrogates the Qurʿān except what comes from Allāh which is the Qurʿān. We do not find any Sunnah that abrogated the Qurʿān.”

The answer: The pronoun in the verse, “We bring,” is not a ḥujjah for them because both the Qurʿān and the Sunnah come from Allāh.

And they also used as evidence the saying of Allāh, “Allāh eliminates what He wills or confirms, and with Him is the Mother of the Book.” [Al-Raʿd: 39]

There is no ḥujjah in this for them because everything that came from the Prophet ﷺ was affirmed by Allāh, the Almighty, who is the Eliminator of what He wills to eliminate from His orders, and all is from Allāh. He eliminates what he wants from his orders all of that is from Allāh. This verse is an evidence for our position against them, in that He, the Exalted, eliminates what He wills in general, making the Sunnah and the Qurʿān in that generality.

They also use as evidence the verse of Allāh, the Exalted, “We have revealed to you the dhikr that you may make clear to mankind what was revealed to them.” [Al-Naḥl: 44]

They said about it, “The clarifying cannot be the abrogating.”

This is a mere claim because abrogation is a type of clarification and the abrogating ruling clarifies what is the abrogated order.

And they argue with the saying of Allāh, the Exalted, “Do not hasten with the Qurʿān before its revelation is completed to you, and say, ‘My Lord, increase me in knowledge.’” [Ṭaha: 114]

They said regarding the verse, “So as Allāh prevented him from clarifying the Qurʿān before the revelation was completed to him, then preventing him from abrogating it is even more impossible.”

This saying implies that no verse can ever be clarified which is impossible and we never said it is possible that the Messenger of Allāh would abrogate verses of the Qurʿān before the revelation of their abrogation was completed to him. Anyone who says this is a kāfir. We only say that if his Lord, the Exalted, revealed to the Prophet non-recited revelation (words of the Prophet) abrogating a verse, the Messenger of Allāh would then disclose it to the people through his speech, making it a conveyed Sunnah and a binding ruling, a conveyed revelation. It does not harm that it is not called Qurʿān and not written in the muṣḥaf, just as it does not harm other rulings established by the

Sunnah without explicit mention in the Qurʿān, such as the number of rakaʿāt of the ṣalāh, the manners of zakāh, what is prohibited in buyūʿ, and other rulings all of these are from Allāh.

Some of them argued with the saying of Allāh, the Exalted, "Say, the Holy Spirit has brought it down from your Lord" [16:102].

They say about it, "This is not applied except to the Qurʿān."

This is all falsehood and slander from its speaker. Every revelation that came to the Prophet ﷺ with a ruling from the rulings, then the Holy Spirit descends with it (that waḥī/rulings to the Prophet) from his Lord. The text of the narration states that Jibrīl, descended and prayed, and the Messenger of Allāh, prayed. Then Jibrīl prayed, and the Messenger of Allāh, prayed, and so on until he taught him the five prayers[146]. While this is not something from the Qurʿān (the angel still was sent down with it to the Prophet) yet the Holy Spirit brought it down, as you see. So, everything they argued with is invalidated, and success is granted by Allāh, the Exalted.

[146] Sunan Abī Dāwūd 393

Abrogations in the Qurʿān and Sunnah Abrogating Qurʿān

So emphasizing what preceded before: there are abrogations in the Qurʿān.

Some ignorant people have said, "We must take all the meanings of the words, so for example the verse, 'And upon those who are able [to fast but with hardship] a ransom [as substitute] of feeding a poor person [each day]' [2:184]. It is possible to apply this ruling for a very old man that maybe has cancer or something or sickness. And how can he make up the fast if he is sick, if he will die? And also there cannot be abrogations in the Qurʿān because there is ijmāʿ that all that is in the Qurʿān must be obeyed. And likewise the verse, 'Those who commit immorality of your women, bring against them four witnesses from among you. And if they testify. Confine hem to houses until death takes them or Allāh ordains for them a way.' [Al-Nisāʿ: 15] This is also not abrogated because it is possible to have taʿzīr against dangerous women or gays or lesbians so they will be confined till death takes them. And also the religion of Allāh is only the sayings of the Prophet not his actions."

The answer: This is false, how many abrogations do there exist without all of such possibilities being considered, I have mentioned many of them. Looking for rare possibilities is false as mentioned in previous chapters, then how about necessity cases wile cases of necessity have their own specific ruling? Taking every single possible situation is directly against the Ẓāhir because affirming rare cases are assumptions, not the Ẓāhir. And the meaning of taking the Ẓāhir is only using all meanings of the word in the language as clarified entirely before not affirming every single situation, while affirming every single possible situation itself is against the Ẓāhir. An abrogation is only a ruling changing to another ruling at another time as clarified before and I have clarified how exactly this is found in the texts.

Allāh never made it a condition that for a naskh to occur that every single possible situation most cease to exist, this is something impossible and a condition that is not from the book of Allāh.

Then how when there are clear examples of the sunnah abrogating the Qurʿān. So no the ruling in ‘And upon those who are able [to fast but with hardship] a ransom [as substitute] of feeding a poor person [each day].’ [Al-Baqarah: 184]

It does not matter whether it is possible to apply this those with difficulty or not because this ruling got invalidated entirely and is replaced by another ruling.

And likewise for the verse ‘Those who commit immorality of your women, bring against them four witnesses from among you. And if they testify. Confine them to houses until death takes them or Allāh ordains for them a way’ [Al-Nisāʾ: 15] They do not apply this to the most general meaning of immorality and it is a specific immorality because it requires 4 witnesses which is then nothing other than zina and there is naṣṣ from the Prophet ﷺ about it exact abrogation of this ruling as we will mention, it does not matter whether some cases are possible to be applied that has no value whatsoever if naskh is established.

Examples of the Sunnah abrogating the Qurʿān is Allāh saying, “Then keep them in their houses till they pass away in it or till Allāh makes for them a way.” [Al-Nisāʾ: 15]

Then the saying of the Prophet ﷺ, “Take from me take from me, Allāh has made a way for them, the virgin with the virgin hundred lashes and exile for a year and the married with the married is 100 lashes and stoning.”[147]

So the saying of the Prophet ﷺ abrogated the Qurʿān.

If someone says, “The imprisoning in the verse is only abrogated by the verse: ‘The zāniya and the zānī…’ [Al-Nūr: 2]”

[147] Ṣaḥīḥ Muslim 1690 | Sunan Abī Dāwud 4415

We say no because the naṣṣ of the Ḥadīth obliges that the Ḥadīth was before this verse as there is in it clarification of the way which Allāh mentioned in the previous verse and ordered them to listen to the way. And in the Ḥadīth is exile and lashing which is not mentioned in the verse so the Ḥadīth is the Nāsikh.

As for the abrogation of ransom for being unable to fast, they are the verses, “Decreed upon you is fasting as it was decreed upon those before you that you may become righteous” [2:183] And the verse, “A limited number of days. So whoever among you is ill or on a journey [during them] - then an equal number of other days [are to be made up]. And upon those who are able [to fast, but with hardship] - a ransom [as substitute] of feeding a poor person [each day]. And whoever volunteers good [i.e., excess] - it is better for him. But to fast is best for you, if you only knew.” [Al-Baqarah: 184]

This verse was only revealed in the earlier form of fasting which has been abrogated, and that was that it was a ruling for fasting in the first revealment of fasting the month of Ramaḍān that whoever wished could fast, and whoever wished could break the fast and feed a poor person for each day missed. Fasting was ruled better. This is the text of the verse. Salamah ibn al-Akwaʿ said, “We were in Ramaḍān during the time of the Messenger of Allāh ﷺ whoever wished could fast, and whoever wished could break the fast and atone with feeding a poor person, until this verse was revealed, ‘So whoever sights [the new moon of] the month, must fast’ [2:185].” Salamah ibn al-Akwaʿ said, “When this verse was revealed, ‘And for those who can fast with hardship, they have [a choice to give] food for one poor person’ [2:184], Whoever wanted to break the fast and atone [by feeding the poor] could do so until the verse that followed was revealed, which abrogated it.”[148]

So the ruling got abrogated as anyone with eyes can see. And obliging the old or sick to give a ransom is directly against the ruling

[148] Ṣaḥīḥ Muslim 1145

of Allāh, they are indeed obliged to make up the fast, and they are only burdened each day to fast as long as they are able to, if they are not able to they break the fast And if they get sick they make up for that day. And then there are dozens of verses available in the Qurʿān about the rulings of the previous Prophets that are all abrogated without any doubt from anyone with the least amount of ʿaql.

And that which also clarifies our view with certainty is the abrogation of the verse, "So if they come to you, [O Muḥammad], judge between them or turn away from them" [5:42] Verily this verse got abrogated by the verse, "And judge, [O Muḥummad] between them by what Allāh has revealed." [5:49]

If it is said, "Show your certain evidence on the abrogation of this."

It is authentically narrated from Ibn ʿAbbās that he said, "Two verses were abrogated from this Sūrah: the verse about the necklaces (ornaments) and the saying of Allāh, the Exalted, 'So if they come to you [O Muḥammad], judge between them or turn away from them' [5:42]. The Messenger of Allāh was given a choice: if he wished, he could judge between them, and if he wished, he could turn away from them and refer them to their own rulings. Then the verse was revealed, 'And judge between them by what Allāh has revealed' [5:49]. So the Messenger of Allāh ﷺ him, was ordered to judge between them according to what is in our Book."[149]

This is musnad because Ibn ʿAbbās informed about the revealment of the verse about that. So this verse got without any doubt abrogated, while it is possible with their corrupt method to claim that it is possible to sometimes turn away from them and that the choice could remain to rule them or not rule them. While the verse still got abrogated with certainty, so their method is entirely invalid.

And among the cases where the Sunnah abrogated the Qurʿān is the saying of Allāh, "And wipe your heads and your feet (arjulakum)

[149] Al-Muʿjam al-Awsaṭ 8482, 8/228

up to the ankles" [5:6] The qirāʿah with khafḍ of arjulikum and and with fatḥ arjulakum. Nāfiʿ, ibn ʿĀmir, Ḥafṣ, al-Kisāʿī recited with naṣb and the remaining with jarr. Both cannot be except if it is conjoined also with the heads in wiping (meaning conjoined with the ruling of wiping the heads so the feet also take the ruling of wiping). Because it is not allowed at all to intervene between the maʿṭūf (conjunct) and the maʿṭūf ʿalayh (the initial conjunct). Because that is a problem and deception and misguidance, not a clarification. You do not say, "I hit Muḥammad and Zayd, and I passed by Khālid and ʿUmar," while you mean that you hit Muḥammad at all. So since the Sunnah has come with the washing of the two feet, it is established that wiping is abrogated from the two feet. And in that manner was the practice of the companions for they used to wipe over their feet, until the Prophet ﷺ said, "Woe to the heels and backs of the feet from the fire."[150]

They have admitted, and the narrations established, that many verses of the Qurʿān, their recitation has been abrogated completely, and it is not possible for these to be abrogated by the Qurʿān, because if they would be abrogated by the Qurʿān, that Qurʿān would be present and recited (as there is now an available Sunnah abrogating it). But there is no mention in any of the recited text of the abrogation of such and such a verse that was completely abrogated, so it is necessary that what was abrogated is exactly what we allowed to be abrogated of the Qurʿān, by the Sunnah.

Allāh does whatever He wills. At one time He sends down His commands through revelation that is recited; at another time through revelation that is conveyed but not recited; and at another time through revelation that is acted upon but neither recited nor transmitted, yet its written form has been removed while its ruling remains. And at another time He shows His Prophet ﷺ whatever He wills in a dream; and at another time Jibrīl comes to him with the revelation. There is none to overturn His judgement.

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[150] Ṣaḥīh al-Bukhārī 60, 96, 163 | Ṣaḥīh Muslim 241

So it is possible for His order to be abrogated by His action, and for His action to be abrogated by His command. And it is permissible for the Qurʾān to be abrogated by all of that, and for all of that to be abrogated by the Qurʾān. All of this is equal and there is no difference.

Likewise, if the Messenger of Allāh ﷺ sees something and approves it and does not reject it, while there had previously come from him an explicit prohibition of it, then that approval makes an abrogation of his earlier prohibition because it is obligatory upon him to convey, to prohibit what is false, to approve what is good, and to clarify the necessary implications. And he is protected from the people and from opposing that which his Lord has ordered him.

When there is a Ḥadīth prohibiting but then a Ḥadith in which the Prophet ﷺ knows it happening but doesn't say anything about it then it is abrogated.

No One is Obliged Anything Except if the Ruling Reaches a Person

Allāh only obliged mankind and jinn what they are able, as Allāh said, “Allāh does not burden a soul except what it is able.” [Al-Baqarah: 286]

And it is in the ability of no one to know any ruling before it reaches them, so whomever only reaches the Mansūkh and not the Nāsikh their obligation is to act upon the Mansūkh and only when the Nāsikh reaches them they act upon the Nāsikh.

Allāh said, “So that I can warn thereby and whoever reaches it.” [Al-Anʿām: 19]

So if someone reaches the Mansūkh ruling and they abandon it and do an act that goes in accordance with the Nāsikh but the Nāsikh ruling never reached them then they are disobedient sinners. The same applies for the one whom the ʿĀm (general) text reaches but not what specifies some of it.

And no one is obliged any ruling if they do not comprehend it, the ruling merely reaching them or it being near them does not oblige any ruling on them, as Allāh said, “Allāh does not burden a soul except what it is able.” [Al-Baqarah: 286]

Abrogation by Ijmāʾ

Ijmāʾ can abrogate if this ijmāʾ it is a situation that necessitates that the ijmāʾ is an action or acknowledgment of the Prophet ﷺ. This is the only valid ijmāʾ that is from the religion of Allāh every ijmāʾ that is not of this description is not an ijmāʾ and not from the religion and cannot abrogate.

Who is a Companion?

Not everyone that sees or is aware of the Prophet ﷺ is a companion. And not everyone that was aware of him but did not meet him, but became Muslim after his death or life except that he did not see him little is a companion. Whoever hears the Prophet ﷺ say anything and the one hearing it is a kāfir then he accepts Islām then narrates what he heard then it must be accepted, the condition of ʿadalah is only at the time of warning not when witnessing. There were open sinners and hypocrites in the lifetime of the Prophet ﷺ and also those who lie about the prophet So only those known with virtue and whose name is known are accepted. Them narrating with meaning is valid if it necessitates what really occurred in a Ḥadīth. As for actually narrating and attributing to the Prophet ﷺ with connection then it must be the exact words.

The Ṣaḥābah Are Not a Ḥujjah in Anything

They are not a ḥujjah in anything, not in ʿAqīdah, not in Fiqh, not in stories, not in ʿilm al-ghayb, not in tafsīr or anything else. And this is the case whether there is ijmāʾ sukūtī or if the "majority" of them concur on something, anything other than real ijmāʾ is not accepted.

The decisive evidence for this: Allāh did not reveal revelation upon any of them, nor is any of them infallible, nor did Allāh ever make any of such sayings part of the religion, nor did Allāh ever task us do consider as if such is what the Prophet ﷺ said. And the one that says that if a great amount of them or if there is no difference among the companions that it takes the ruling of rafʾ thereby making it the ruling of the Prophet ﷺ, he has placed the companions in a place in which they rectify what the Prophet ﷺ left from clarifying the religion and this is kufr from the one holding it. And the default is that we must accept what comes from the Prophet ﷺ if we would be obliged to consider anything else from the religion then there must be a text from the Qurʿān and Sunnah obliging attributing it to the religion of Allāh and this does not exist whatsoever. And the Prophet ﷺ corrected dozens of their mistakes in his ﷺ lifetime in all aspects of the religion and they erred hundreds of times after the passing of the Prophet ﷺ. So what is only obligatory in following them is what they narrate from the Prophet ﷺ only and nothing else.

What is Mutashābih?

The Mutashābihāt as mentioned in the verse, “It is He who has sent down to you the Book; in it are verses precise - they are the foundation of the Book - and others unknown.” [Āl ʿImrān: 7]

And what the Prophet ﷺ said about it, “When you see those who follow that which is not clear of it, they are those whom Allāh has named, so beware of them.”[151]

These are not the mutashābihāt matters when the Prophet ﷺ said, “The ḥalāl is clear, and the ḥarām is clear, and between them are unknown (mutashābihāt) which many people do not know. So whoever avoids the doubtful matters clears himself in regard to his religion and his honor. But whoever falls into doubtful matters falls into the ḥarām, like a shepherd who grazes around a sanctuary, nearly grazing therein. Truly, every king has a sanctuary, and truly, the sanctuary of Allāh is His prohibitions.”[152]

Because the mutashābihāt in the verse is something Allāh prohibited its taʿwīl and taʿwīl means the clarification of something, the meaning of something so as Allāh prohibited seeking its meaning it is then impossible to know it and it is something that cannot be known, so these mutashābihāt are completely unknown matters.

While the Prophet informed about mutashābihāt here are about matters which is known, which lie between clear ḥalāl and clear ḥarām but not known by many people, which makes it a faḍl for those who understand it.

So what Allāh prohibited is not what the Prophet ﷺ mentioned here. So matters of rulings, ʿAqīdah, stories, Tawḥīd, threats and promises are all not from the mutashābihāt that are unknown to anyone which Allāh prohibited seeking its meaning because we are ordered to reflect upon it and are obliged to know it and have been taught it. So

[151] Ṣaḥīḥ al-Bukhārī 4547

[152] Ṣaḥīḥ Muslim 1599

nothing remains except the ḥurūf al-muqaṭṭaʿah in the beginnings of the chapters and the oaths taken by Allāh in the beginning of some chapters. And some people have said that the saying of Allāh in the verse, "And those who are firmly grounded in knowledge," [Āl ʿImrān: 7] is conjoined (maʿṭūf) to Allāh, Exalted is He. Meaning that the verse means, "And no one knows its meaning except Allāh and those firm in knowledge" [Āl ʿImrān: 7].

This is false. It is instead an independent clause (ibtidāʾ), and its predicate (khabar) is in the verse, "And they say, 'we believe in it'" [Āl ʿImrān: 7] and the wāw (and) is used to connect one independent clause with another dependent clause (ʿaṭf of a jumlah on a jumlah).

The certain evidence for this is that Allāh has prohibited following the unknown (mutashābih) and has informed that those who follow it and seek its meaning are those with deviated hearts seeking discord. The Prophet ﷺ warned (prohibited) against those who follow it. There is no way to understand the meaning of something without following it and seeking its meaning. As following it is prohibited, then the way to understand it is blocked. And if the way is blocked, then there is no way to understand it at all. So, it is established that the firmly rooted in knowledge (rāsikhūn) will never know it, no one will.

And the Prophet ﷺ also recited the seventh verse of Āl ʿImrān, then warned against those who follow what is mutashābih in the Qurʿān[153], and we know that following all of its rulings is obligatory, so it is clear that the mutashābih are not what we were ordered to reflect on as we mentioned.

[153] Ṣaḥīḥ al-Bukhārī 4547

Ijmāʾ

All of ahl al-Islām at any time and place concur that the Qurʿān Allāh revealed upon Muḥammad and everything the Prophet ﷺ said are a ḥaqq that are obliging on everyone and that is the religion of Allāh. Then the people differed upon the way that leads to the Prophet ﷺ. The only valid Ijmāʾ is the ijmāʾ that gives certainty that necessitates an acknowledgment or action from the Prophet ﷺ, every single other ijmāʾ is false.

A group says, "Ijmāʾ is something other than from the Prophet ﷺ, the Muslims gathering upon a ruling."

They mention the verse in which Allāh obliged obedience to ulū al-amr as He said, "O you who have believed, obey Allāh and obey the Messenger and ulū al-amr among you." [Al-Nisāʾ: 59]

They say, "If obedience to ulū al-amr would only be what they narrate from the Prophet ﷺ then there would be no meaning in Allāh repeating obedience in the verse and it would be sufficient for Allāh to mention obedience to the Prophet ﷺ because it is the same meaning, so obedience to them is from other than the Prophet ﷺ such as their raʿī and qiyās."

And they mention that Allāh obliged following Sabīl al-Muʿminīn, as He said, "And whoever opposes the Messenger after guidance has become clear to him and follows other than the way of the believers." [Al-Nisāʾ: 115]

And they mention that the verse of Allāh about returning the matter to ulu al-amr, "But if they had referred it back to the Messenger or to ulū al-amr, then the ones who [can] draw correct conclusions from it would have known about it." [Al-Nisāʾ: 83]

So they say, "So it is obligatory to follow them in what they gather upon."

And they mention the Ḥadīth in which the Prophet ﷺ said, “There will not cease to exist a ṭāʿifah (group) upon the truth, no one that abandons them will harm them till the order of Allāh comes.”[154]

And they mention the Ḥadīth in which the Prophet ﷺ said, “There will not cease to exist a ṭāʿifah (group) upholding the order of Allāh, no one that abandons them will harm them till the order of Allāh comes while they are dominant upon the people.”[155]

So they say, “So it is established that the ummah of Muḥammad does not gather upon other than the Ḥaqq.”

And they mention the Ḥadīth, “My Ummah does not gather upon misguidance.”[156]

The answer: As for this narration they just mentioned it is weak as Abū Khalaf al-Aʿma and Muʿan ibn Rifāʿah al-Salami are weak.

This narration has come from another ṭarīq[157]

This is also weak as Sufyān ibn Sufyān al-Madini is weak

And also from another ṭarīq[158]

And this is weak as al-Bakhtarī ibn ʿUbaid ibn Salmān al-Ṭābikhī is majhūl.

And there are other ṭuruq which are marāsīl.

The other texts they mentioned are all true and are not a ḥujjah for them because there is no doubt in the validity of a correct ijmāʾ. What is only false is claiming ijmāʾ in anything less than that such as many companions saying something, the majority saying something, or when they do not know difference of opinion, or an ijmāʾ sukūtī and likewise everything other than a real valid correct ijmāʾ that is from the Prophet ﷺ.

As for the narrations they mention about never people ceasing to exist to uphold the truth then yes, there never ceases to exist people

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[154] Ṣaḥīḥ Muslim 1920 | Sunan Abī Dāwud 4252

[155] Ṣaḥīḥ Muslim 1037

[156] Sunan Ibn Mājah 3950

[157] Sunan al-Tirmidhī 2305

[158] Al-Ṭabarānī 13623, 13624 | Musnad Aḥmad 21293

any time at all that are upon something from the Qurʿān and Sunnah and valid decisive ijmāʾ which is certain to be from the Prophet ﷺ so there never ceases to be people that are upon something other than what the Prophet ﷺ was upon directly. And never is there a single moment in which the entire ummah gathers on falsehood, as there must be among them someone speaking the haqq.

There is only in these narrations the existence of Ikhtilāf and that there is always one truth in Ikhtilāf.

As for the verse in which Allāh obliged following Sabīl al-Muʿminīn as He said, "And whoever opposes the Messenger after guidance has become clear to him and follows other than the way of the believers." [Al-Nisāʾ: 115]

Then Allāh in that verse by its naṣṣ did not threaten mere opposition to Sabīl al-Muʿminīn, except with opposition to the Prophet and after the truth which is only what comes from the Prophet is clear to him. This is only naṣṣ of our saying that Sabīl al-Muʿminīn and their ijmāʾ can only be something that is from the Prophet ﷺ. And Allāh also said in another verse that the saying of the Muʿminīn is obedience to Allāh and his Messenger only as Allāh said, "The only statement of the believers when they are called to Allāh and His Messenger to judge between them is that they say, 'We hear and we obey.' And those are the successful." [Al-Nūr: 51]

There is no Sabīl al-Muʿminīn other than this, inventing any ruling (sharʾ) not in the religion of Allāh and not what the Prophet ﷺ has come with can never be from the religion of Allāh.

As for the verse in which Allāh obliged obedience to him, then the Messenger and then ulū al-amr as he said, "O you who have believed, obey Allāh and obey the Messenger and ulū al-amr among you." [Al-Nisāʾ: 59]

There is no ulū al-amr greater than those who transmit what they witnessed from the Prophet ﷺ and then the next ones transmitting it further, and there is no ulū al-amr that can be obeyed in a valid manner except those who transmit the Sunnah from the Prophet ﷺ.

Them claiming that Allāh obliged obedience to ulu al-amr if they speak with what is other than the Prophet ﷺ because He just before this word already mentioned obedience to Allāh and the Messenger.

This is not a ḥujjah because this false saying implies them to say in the exact same manner that the order of Allāh to obey the Messenger after ordering obedience to Himself that that is an evidence that Allāh only ordered us to obey the Messenger in what he says from himself not in that what Allāh has revealed to him of the religion as the order of Allāh to obedience to him would suffice not to repeat.

While the Prophet never follows anything except what is revealed to him as Allāh said about the Prophet, "I only follow what is revealed to me." [Al-Anʿām: 50]

And as He said, "And he does not speak of desire, it is nothing but a revelation revealed." [Al-Najm: 3-4]

Allāh repeating the mention of obedience first to Himself, then to the Messenger then to ulū al-amr is clear and the meaning of it is that it is an additional clarification. Had it not been mentioned, the matter would have become confused for some people. The point is that if Allāh had only ordered us to obey Him only, then some ignorant people would assume that we are only obligated to follow what He, exalted, said in the Qurʾān only, and that we are not obligated to obey His Messenger ﷺ in what he brought to us that is not stated in the Qurʾān. So when He, exalted, ordered us to obey His Messenger ﷺ alongside obeying Him, the clarification became evident, and no one could then refuse to obey the Messenger of Allāh ﷺ in what he ordered us except one who is stubborn toward him. And if Allāh had only ordered us to obey the 'ulū al-amr' from among us, then it would have been possible for an ignorant person to imagine and say, "We are not obligated to obey the Messenger of Allāh ﷺ except in what we heard from him directly."

So when He, exalted, ordered us to obey the 'ulū al-amr' from among us, the clarification appeared regarding the obligation of

obeying what the scholars have transmitted to us from the Prophet ﷺ alone.

The first group we mentioned are those who believe ijmāʾ is an independent evidence not from Allāh and his Messenger and the falsehood of that is clear and clarified.

Then there are those that believe in the same ijmāʾ or any ijmāʾ but add to it that that it is from the Prophet ﷺ .

Here what is false is believing in any ijmāʾ that does not necessitate certainty that it is an action or acknowledgment of the Prophet ﷺ.

They claim that the ijmāʾ they believe in is from the Prophet ﷺ even if it is not a situation that necessitates acknowledgment of the Prophet ﷺ.

So we say to them: All of the Muslims agree that the Messenger of Allāh ﷺ ordered us to pray toward Bayt al-Maqdis for a period, then he ordered us to abandon that qiblah and to pray toward Makkah, so that became obligatory. And that if he were to prohibit us from praying the five prayers, or from fasting Ramaḍān, then it would become prohibited for us to pray them or to fast it. And so is it in this manner and with all other rulings that if all the people of the earth orders with that after him, that it is obligatory.

If they say, "Yes," they have disbelieved.

And if they say, "No," they have made between obedience to Allāh and his Messenger and obedience to the people and by that are part of those we mentioned earlier.

If they say, "This is impossible, people cannot collectively agree upon that, because it is kufr and misguidance."

We say: You have spoken truthfully. And likewise, it is also impossible that they could collectively agree to introduce a law which Allāh Most High did not command, nor His Messenger ﷺ, whether by opinion, analogy, or distinction. So it is false for them to have in any of the cited texts any attachment whatsoever in any aspect.

And they say, “If ijmāʿ would only be from the Prophet ﷺ then it would be something preserved with us as Allāh says: ‘Verily We revealed the revelation and We will guard it.’ [Al-Ḥijr: 9]

It is not a condition for the religion to be transmitted in narrations whoever restricts it claims without evidence. And yes by Allāh a real ijmāʾ necessitating acknowledgment of the Prophet ﷺ with certainty there is no doubt it being preserved as for every single ijmāʾ other than this and less than this then it is never preserved and never part of the religion.

Allāh said, “Follow what has been sent down to you from your Lord, and do not follow any protectors besides Him; little do you take heed.” [Al-Aʿrāf: 3]

So He ordered us to follow what He has sent down, and He forbade us absolutely from following anything other than Him. By this, it is invalid for the statement of anyone to be sound if it does not agree with the revealed text. And by this, it is impossible for there to be any ijmāʾ part of the religion upon while it not being from the Prophet ﷺ.

And Allāh said, “Today I have perfected for you your religion, completed My favour upon you, and approved for you Islām as a religion.” [Al-Māʿidah: 3]

So it is established that nothing of the religion can be invented after the Prophet ﷺ. So, it is impossible for there to be any ijmāʾ upon anything whether ruling of ʿaqīdah or any claim attributed to the religion that the Propjet ﷺ has not come with.

It is also established by ʿaql that whoever introduces into the religion a ruling while acknowledging that no revelation from Allāh brought it to His Messenger ﷺ has legislated within the religion what Allāh has not permitted. Allāh has condemned and denounced this in the clear text of the Qurʾān, where He says, “Or have they partners who have legislated for them in the religion that which Allāh has not permitted?” [Al-Shūrā: 21]

We say to him, with the aid of Allāh: Is it possible, according to you, that all the scholars of Islām gather in a single place such that

not one of them is absent after the Companions dispersed across the regions or is this utterly impossible?

If he says, "This is possible," then he has contradicted what is plainly witnessed. Because the Companions had already dispersed in the lifetime of the Messenger of Allāh ﷺ, and they continued to disperse onwards without cessation. Some of them went to Yemen and its cities, some to ʿUmān, some to al-Baḥrayn, some to al-Ṭāʾif, some to Makkah, some to Najd, some to the mountain of Ṭayy, and similarly throughout the various parts of the Arabian Peninsula. Then the matter expanded further after them, until they came to be from al-Sind and Kābul all the way to the western reaches of al-Andalus, and the coasts of the lands of the Berbers, and from the coasts of Yemen to the passes of Armenia and between these are vast and distant lands. For all of these to gather in one place is absolutely impossible due to their great number and the far distance between their regions. There is no way but to acknowledge that such is no ijmāʾ so whoever persists only adds to the religion what the Prophet ﷺ has not come with and adds to the religion what is not part of it. It is in reality impossible for all people to gather upon a saying. And also human beings differ greatly in their temperaments, inclinations, strengths, opinions, and natural dispositions. Some are gentle, others harsh. Some are strong and resolute, others weak and inclined to ease. Some lean toward comfort, others toward toughness. Some are quick to anger and strict in condemnation, others are forbearing and lenient. Some are balanced and moderate. Because of these extreme differences, it is impossible for all of these diverse individuals to freely agree on creating or affirming a religious ruling from their own opinions. People with differing natures only ever unanimously agree on things that are: Directly perceived by the senses, or self-evident rational truths. And rulings of the religion are neither sensory perceptions nor self-evident rational truths, but matters that require revelation from Allah. So it is impossible for an ijmāʾ to form on any anything whatsoever.

And it is said to the one that allows ijmāʾ on other than naṣṣ of the Qur'ān or the Sunnah: Tell us what you allow ijmāʾ on after the death of the Prophet ﷺ on other than any naṣṣ. Does it cease to be of four types for which there is no fifth?

It is either an ijmāʾ on making ḥarām a thing the Prophet ﷺ passed away and had not made ḥarām.

Or it is an ijmāʾ on making ḥalāl a thing for which the Prophet ﷺ passed away and had made it ḥarām.

Or it is making an obligation of something the Prophet ﷺ passed away and had not obliged it.

Or it is abolishment of an obligation which the Prophet ﷺ passed away for and had obliged it.

Every single one of these are mere kufr, innovation of a religion and there is no difference between these and allowing ijmāʾ on abolishing the five prayers or the abolishment of fasting Ramaḍān or obliging fasting in Rajab or abolishing ḥajj to Makkah and obliging it to Ṭāʾif, or making ḥalāl the swine or making ḥaram eating the ram, all of this is clear kufr, not hidden.

If they say, "We only allow ijmāʾ on what has no naṣṣ.

This is adding to the religion what is not part of it

And them believing it has no naṣṣ and because of that using these corrupt methods is false because the only rulings that are of the religion of Allāh is that which the Messenger of Allāh ﷺ came with is false, deceptive in the religion, and a pathway leading to grave corruptions. For everything that Allāh did not prohibit on the tongue of His Prophet ﷺ up until the time he died, He has indeed made lawful by His saying, "He created for you all that is on the earth." [Al-Baqarah: 29]

And His saying, "He has explained in detail what He has forbidden you." [Al-Anʿām: 120]

And everything that He did not order, He then did not obligate; and this is a certainty that no sound mind can reject. As for everything for which the text came ordering it or prohibiting it, then He has either

obligated it or prohibited it; so it is not permissible for anyone to oppose it. So it is established that there is nothing except that it has a naṣṣ or has come from the Prophet ﷺ.

So following the Prophet ﷺ is obligatory whether people form anything of this ijmāʾ or not, and whether they have Ikhtilāf or not, no ijmāʾ strengthens a saying and no Ikhtilāf weakens a saying if is in the religion of Allāh the ḥaqq is the ḥaqq whether those opposing it are many and the falsehood is false whether there are people differing or not.

The reality is that ijmāʾ with the meaning of everyone agreeing upon something does not exist. And the only ijmāʾat of anyone that believes in ijmāʾ is always only a large group of people holding something and whatever that is, none of it is a ḥujjah none of it is from the religion.

And there never exists a real ijmāʾ upon something false because of the established narration of there always existing people upon the truth. And the type we mentioned that is valid is only from the Prophet ﷺ

There are people who believe ijmāʾ is only that of the companions only, then there are those who believe it is everyone in all generations, then there are those who say it can occur in the current generation and then there are those who say it is what the majority are upon, and then there are those saying it is what Ahl- al-Madīnah.

Those who seek to validate an ijmāʾ that does not necessitate it being from the Prophet ﷺ say, “There is a confirmed ijmāʾ of the Companions the Messenger of Allāh ﷺ prohibiting the sale of ummuhāt al-awlād (slave-women who have children from their masters), while their sale had been permissible during his lifetime; and also there is a confirmed ijmāʾ among them on applying eighty lashes to one who drinks khamr, whle that was not the case during his lifetime; and likewise a confirmed consensus among them on invalidting certain ahruf from among the seven modes (aḥruf) that existed during the time of the Messenger of Allāh ﷺ.”

None of this is a ḥujjah and none of such are ever added to the religion. What is the difference between your false claim that a new ḥadd-punishment was introduced in the matter of khamr, one that the Messenger of Allāh ﷺ did not legislate, and establishing a ḥadd for the act of liwāṭ by cutting the male organ, or for fornication by administering two hundred lashes, or by cutting the hand of the one who snatches (property), or by extracting the teeth of one who eats pork? And what is the difference between all of this and abolishing a prayer and adding another, or invalidating the fast of Ramaḍān and instituting another month (in its place)? Whoever permits such things has departed from Islām, disbelieved with clear disbelief, and joined the ranks of the Bāṭiniyyah, the extremist Rāfiḍah, the Jews, and the Christians who altered their religion. But they had their ijtihād, were ignorant or forgot the ruling in these matters.

But as for their claim that ʿUthmān removed six of the seven aḥruf and gathered the people upon one then this is a clear lie.

They say, "Ibn Masʿūd learned a specific ḥarf directly from the Prophet ﷺ and initially wished to continue reciting and teaching according to that ḥarf. When he was in Kūfah, he was asked to change his recitation to match the ḥarf standardized under ʿUthmān, but he did not initially accept this, unlike the companions in Madīnah who had already agreed to unite upon one ḥarf. Despite his preference, the standardization was enacted, and the ummah was united upon one ḥarf. If the standard muṣḥaf of ʿUthmān had included all seven aḥruf, then Ibn Masʿūd would not have had a different reading to insist on. Likewise, if all seven aḥruf were preserved in the ʿUthmānic muṣḥaf, there would have been no reason for ʿUthmān to burn the other maṣāḥif."

This is false because there is nothing indicating in any narration that what he changed from was the qirāʿah and not distortions in his muṣḥaf. We explain the action of ʿUthmān (may Allāh be pleased with him) in that matter, with a clarification that is not hidden from any believer or disbeliever: He knew that human beings are not free from

error, and that among the people are hypocrites who display Islām outwardly while harbouring disbelief. This is a fact whose existence in the world is necessary. So he gathered those Companions who were present with him and commissioned the copying of muṣḥafs that were checked and made correct like the other muṣḥafs of the Muslims, with no difference, except that these copies were made in the presence of the communal assembly only. Then he sent to the Muslim provinces a muṣḥaf to be kept at each place. So if someone erred in copying a muṣḥaf, or if an atheist intentionally tried to alter a word in the muṣḥaf or in the recitation, people would compare it with the well-known muṣḥaf that was agreed upon in transmission and copying; so it became evident that what it contains is the truth. So he only corrected the distortions of the people and did not remove any of the ahruf. There is not in any narrations in which this happened that ʿUthmān removed the ahruf.

As for the saying of ʿUthmān, "Write it in the language of Quraysh."[159]

Uthman only said this to the Qurashis for their language, he did not say this about any other tribe.

And ʿUthmān said about him making copies of the muṣḥaf, "I will not change anything from its place."[160]

So it is impossible that he removed six of the seven aḥruf, while there is no indication of this in the ḥadīth they use, and there is nothing else they rely upon as evidence. By Allāh their claim that ʿUthmān abrogated six of the seven ahruf, how grave it is!

Then how when the exact description of ʿUthmān making copies is narrated by Anas ibn Mālik al-ʿĀmirī, "They differed regarding the qirāʿāt during the era of ʿUthmān ibn ʿAffān, until even the young boys and their teachers began fighting. This reached ʿUthmān, so he said: 'You deny it with me and you differ concerning it; and whoever refuses to comply with me will be even more excessive

[159] Ṣaḥīḥ Bukhārī 4987

[160] Ṣaḥīḥ Bukhārī 4256

in denial and more prone to error. O companions of Muḥammad ﷺ! Gather and write for the people.' He said: so they wrote. He said: he informed me that whenever they would dispute about a verse, they would say: 'This is how so-and-so was taught it by the Messenger of Allāh.' So he would be sent for, even if he was three [days' distance] from Madīnah. He would ask him: 'How did the Messenger of Allāh ﷺ teach it to you?' He would say: 'Such-and-such.' So they would write it down, having left a space for it."[161]

[161] Mushkil al-Āthar 8/132

Ijmāʾ Sukūtī

Everything we said before invalidates ijmāʾ sukūtī as well. But there are additional specific things that invalidate ijmāʾ sukūtī specifically as well which will become evident by the will of Allāh.

They say, "Ijmāʿ Sukūtī is a ḥujjah and if there is no clear Qurʿān or Sunnah on an issue, then a saying of a Ṣaḥābī for whom there is no mukhālif is a ḥujjah even if it is not widespread. It being widespread indicates wide acceptance and agreement, if it was not widespread, then we would not know if the remaining of the Ṣaḥābah knew about it. So we reach by that confident knowledge and by that say that it is ijmāʿ. And we only take from Ijmāʿ Sukūtī if it does not oppose the Qurʿān and Sunnah."

This is false because the default is that we are obliged nothing other than what the Prophet ﷺ comes with, if there would be anything else we would be obliged to consider or to take it as if it is from the Prophet ﷺ then there must a text from the Qurʿān and Sunnah obliging taking that as if it is from the Prophet ﷺ, and such does not exist whatsoever. And the one that says this places other than the Prophet ﷺ in a state that rectifies what the Prophet ﷺ left and did not prohibit and oblige us, then they bring this to rectify and prohibit and oblige it.

Every single Ijmāʿ Sukūtī obliges, prohibits or permits what the Qurʿān and Sunnah did not oblige, prohibit or permit is opposition to the Qurʿān and Sunnah because it is not in it. So the saying And we only take from Ijmāʿ Sukūtī if it does not oppose the Qurʿān and Sunnah is false in every single situation, this is never valid.

If they say, "We only accept narrations about the Prophet because it gives us yaqīn or confident knowledge that it must have been from the Prophet, likewise we take from Ijmāʿ Sukūtī and the saying of a Ṣaḥābī because it gives us certainty or confident knowledge that it must have been from the Prophet."

The answer: This is false because as said before, we are only obliged to follow the Prophet ﷺ, if there would be anything not directly

from the Prophet ﷺ which we are obliged to take it as if it is from the Prophet ﷺ then there must be a text from the Qurʿān and Sunnah obliging that, otherwise it is a false claim and it is attributing to the religion what is not part of it.

And whoever permits for them to rectify and make a Sunnah that the Messenger of Allāh died and did not make a Sunnah has permitted them to prohibit something that was permissible during the lifetime of the Prophet ﷺ until his death or to make permissible something that the Messenger of Allāh ﷺ prohibited, or to impose an obligation that the Messenger of Allāh ﷺ did not make an obligation, or to omit an obligation that the Messenger of Allāh ﷺ made an obligation And all these, whoever allows any of these, he is a disbeliever and a polytheist by the Ijmāʾ of the entire Ummah without any disagreement, and with the success from Allāh, this view has been nullified.

Then we ask them: Can the ruling of one issue be ḥalāl, ḥarām, and wājib at the same time? If they say "Yes" their answer is suffices.

If they say, "No" Then we say: Yes, and someone would not be far from the truth if he were to say that there are a thousand sayings from the companions in which one rules the issue ḥarām and the other as wājib and the other as ḥalāl. This is the essence of ikhtilāf and Allāh ordered us to return all of that to nothing other than the Qurʿān and Sunnah.

Any fatwā does not cease to be one of four: Either obliging something that is not obligatory from the texts of the Qurʿān and Sunnah. Omitting the obligation of something obligatory in the texts of Qurʿān and Sunnah. Making the ḥalāl which texts have prohibited ḥarām. Making ḥarām that which no texts have made ḥarām, So the hundreds of their false fatāwa and your saying, "But those are only when it's against the naṣṣ," is false as all of that is against the naṣṣ. Everything that is not in the Qurʿān and Sunnah opposes the Qurʿān and Sunnah, whether it is mentioned in it or not.

Then they are asked: Can ijmāʿ sukūtī make takhṣīṣ of the texts of the Qurʿān or not? If they say "No" their answer suffices.

If they say "Yes." Then we say: This invalidates your entire claim that ijmāʿ sukūtī is not in opposition to the Qurʿān and Sunnah. So if those four categories are not an opposition. And this is also not an opposition, and you accept all of that. Then according to you Ijmā Sukūtī never opposes naṣṣ and the condition you set has no meaning to it while it is without it falsehood by its essence.

Then we say to them: Can this Ijmāʾ Sukūtī, which is according to you the order, or prohibition or permissibility of the Prophet ﷺ abrogate the Sunnah or can it not abrogate it?

If you say, "It cannot abrogate it," which is their answer.

Then we say: You just said Ijmāʿ Sukūtī is a certainty that it must have been from the Prophet ﷺ then you have ruled that something certain from the Prophet ﷺ cannot abrogate another thing the Prophet came with!

If they say, "The Ijmāʿ Sukūtī gives us less confident knowledge so it cannot abrogate the narrations from the Prophet ﷺ.

We say: This answer suffices because there is in it their acknowledgment that they do not attribute it to the religion in the same manner a saying of the Prophet ﷺ is. And it is said to them: Is Ijmāʿ Sukūtī then yaqīn or not yaqīn? There is no third option. If you say, "It is yaqīn," then yaqīn does not vary in any degrees; if it is affected by any doubt or invalidity, it is entirely nullified. And if you say, "It is not yaqīn," then their entire method on Ijmāʿ Sukūtī and what is less than that falls apart as nothing in the religion is binding except yaqīn.

How do they dare to attribute ijmāʿ to those from whom they have not received anything on this matter.

If they say, "Everything that is widespread among the ʿulamāʾ and becomes well known and there is no difference known from others then it is an ijmāʾ because they are people of virtue and religion and Allāh ordered us to obey them and it is impossible that they would hear what they reject and then still not reject so they are pleased with it."

We say: It is possible for there to exist a difference from others that did not reach you or the one whose saying became widespread. And it is impossible for the saying of the one that became widespread to encompass and fill the entire earth.

There were tens of thousands of in the time of the Prophet ﷺ and hundreds of thousands after his death ﷺ while there are only 20 companions with many fatāwa, then there are about a hundred from whom is very few and then the remaining from whom nothing is narrated, it is impossible that they never gave a fatwā. It is impossible to encompass tens of thousands no one believes this.

Then in the generations of the companions the amounts reached millions, and it is utterly impossible for anyone to claim that a saying for which is no difference found is an ijmāʾ and it is impossible to claim that it is an evidence because no difference is known because there is no value them not finding any difference because it can never and will never reach all of them.

They do not have real knowledge of the saying spreading. And do not have knowledge of it encompassing most let alone all. And they do not have decisive knowledge that they did not reject it. And they do not have decisive knowledge that they were pleased with it.

Silence when hearing fatāwa without making rejection of it apparent can be because of fear, tawaqquf because of not being certain, or because the truth is not apparent yet, or a person can first agree then later the ḥaqq becomes apparent to him and then reject it or it can reach him and he does not reject it but can reach others who reject it.

And the aṣl in people is Ikhtilāf (difference) and Allāh ruled by that when he said, “They will not cease to differ, except whom your Lord has mercy on, for that he created him.” [Hud: 118]

So it is established that the aṣl is Ikhtilāf which Allāh told us that we never cease from it for which he created. This is what is certain and the ijmāʾ sukūtī claims are mere assumptions without any decisiveness in its existence among the people.

And ijmāʾ sukūtī has a beginning time, so what preceded the ijmāʾ sukūtī is the opposite saying for which was no difference known, what makes that better than the previous? While this opposite saying the previous is what is from the Qurʿān and Sunnah as when no naṣṣ obliges anything then it is permissible and this ijmāʾ sukūtī that innovated is the falsehood not from the religion.

Then there are people who believe that difference Ikhtilāf of a few people does not matter and is nothing and that the majority must be followed they mention the narration of the Prophet ﷺ, "So follow the jamāʿah and for satan is with one and he is from two further."[162]

This is authentic, and the jamāʿah mentioned and this applies for all narrations in which is the obligation to follow the jamāʿah that is only about the jamāʿah that is upon the ḥaqq only even if this jamāʿah is only three people. Because one person saying a saying does not inherently make that saying false, and satan is with one yes and with more than two, and he is with the majority he is with everyone that is upon falsehood.

Khadījah, the Mother of the Believers, accepted Islām while the remaining people were kuffār. She was upon the truth, and all the people of the earth were upon misguidance.

Then Zayd ibn Ḥārithah and Abū Bakr accepted Islām, and they were without doubt the jamāʿah, while all the people of the earth were upon falsehood. And the Messenger of Allāh ﷺ had been given revelation while he was alone, and he was upon the truth alone, and all the inhabitants of the earth were upon falsehood and misguidance.

And it has been authentically narrated from the Prophet ﷺ that Zayd ibn ʿAmr ibn Nufayl will be resurrected on the Day of Resurrection as an ummah by himself[163].

That is because Zayd believed in Allāh alone while all the inhabitants of the earth were upon misguidance.

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[162] Musnad Aḥmad 114

[163] Sunan al-Kubra 8131, 7/324: Ṣaḥīḥ

And it has been authentically narrated from the Messenger of Allāh ﷺ that he said, “Indeed, this religion began as something strange, and it will return to being strange; so blessed are the strangers!”[164]

And he ﷺ said, “People are like a hundred camels; you cannot find among them a riding camel.”[165]

And he ﷺ said, “The Hour will not be established except upon those who have no good in them.”[166]

Allāh said that in many verses that the people upon the ḥaqq are few as He said, “Those who believe and do righteous deeds - and few are they.” [Ṣād: 24]

And He said, “But most of the people are not grateful.” [Yūsuf: 38]

And He said, “And if you obey most of those upon the earth, they will mislead you from the way of Allāh. They follow not except assumption.” [Al-Anʿām: 116]

And He said, “And most of the people, although you strive [for it], are not believers.” [Yūsuf: 103]

The words of Allāh are the ḥaqq and the words of the prophet ﷺ are the ḥaqq and the ḥaqq does not contradict the ḥaqq so most people are upon misguidance and one person can be upon the ḥaqq while all others are upon falsehood and the obligation is only adhering to the people of the ḥaqq which is in the religion nothing other than only what has come directly from the Prophet ﷺ only.

And ijmāʾ sukūtī and every other ijmāʾ they believe in is always a case of dispute and Allāh ordered, “And if you disagree over anything, refer it to Allāh and the Messenger, if you should believe in Allāh and the Last Day.” [Al-Nisāʾ: 59]

And where do they get it from that they did not reject it?

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[164] Ṣaḥīḥ Muslim 145, 146

[165] Ṣaḥīḥ Muslim 2547

[166] Ṣaḥīḥ Muslim 2949

The description of them claiming something is widespread is most of the times from either weak narrations or narrations from the companions while other companions opposed that companion.

And the one that says that for the saying of a companion for whom no opposition is known is a ḥujjah but not an ijmāʾ everything we mentioned applies for this saying as well and this is part of the chapter of taqlīd.

What is sufficient for this entire chapter is that there is nothing from the Qurʿān and the authentic sunnah that obliges taqlīd of the companion for whom no opposition is known and as there is no evidence whatsoever it is a false saying without evidence and not from the religion and nothing is obligatory to follow except the Qurʿān and the Prophet ﷺ.

If they say, "Ijmāʾ sukūtī and further agreements indicate that it was something that the Messenger of Allāh had ordered, permitted or prohibited."

The answer: We answered this in the greatest of details before, so see the complete answer there, this view is false for many reasons:

Firstly, they agree that ijmāʾ is an agreement that comes into existence sometime after it did not exist yet, after the passing of the Messenger of Allāh. There is then no difference in their claim and in believing that there was ijmāʾ on the opposing view of the ijmāʾ before the ijmāʾ they are claiming and then those who differ as that ijmāʾ takes place, they are instead the shādh ones as no one among them can claim that one is more of an ijmāʾ than the other.

Secondly, there is no such thing as the ṣaḥābah physically attending a certain place to gather on a view and also not them seeking to gather on a view and announcing the establishment of an ijmāʾ which no one is allowed to oppose, there are only scenarios of them seeking advice from each other, unrelated to ijmāʾ. All the claims of ijmāʾ on issues are only when the companions hold views separately, not aware of the others or views that are known of them without any of them actively seeking to establish a firm agreement.

Thirdly, the number of ṣaḥābah in one case of ijmāʾ is very limited. There is no such thing as the ṣaḥābah calling the people around them or the whole town to agree on an issue. If they would have been burdened by Allāh to come to an agreement which did not exist before the passing of the Messenger of Allāh, it would never be difficult for them to easily announce it everywhere, as that view would have been from the revelation in that case and Allāh has protected the revelation. As we know that it is not from Allāh, this never happened and none of them ever said, "We are ordered from Allāh to come to an agreement."

Fourthly their corrupt view leads them to the saying that Allāh did not preserve the religion through the Messenger of Allāh and needs non-maʿṣūmīn (fallible men) after the passing of the Messenger of Allāh, by burdening them to come to an agreement after the opposite view was additionally being practiced. Fifthly, according to them Allāh burdens non-maʿṣūmīn after the passing of the Prophet ﷺ to start gathering on an issue. We are certain that nothing other than the words of Allāh and the Prophet ﷺ are preserved, exactly as Allāh had said. From the most evident indications that none of such an agreement is a certainty that it is from the Prophet ﷺ is that none of the ṣaḥābah ever uttered, "Allāh ordered us to gather on an agreement to affirm that it is what the Prophet ﷺ ordered, prohibited or permitted."

Sixthly, there are many narrations from ṣaḥābah inquiring each other if their view is from the Messenger of Allāh or ﷺ. If it would be the case that their own views without them ever attributing it to the Prophet ﷺ, is from the Prophet ﷺ while they did not attribute to the Prophet ﷺ then they would not ask each other if they got it from the Prophet ﷺ.

Seventhly, the ṣaḥābah taught everything they knew from the Messenger of Allāh ﷺ by ascribing it to the Prophet ﷺ as Allāh has without any doubt preserved the Religion and the ṣaḥābah know the danger of hiding any knowledge from the Prophet ﷺ it is then from the most false beliefs to assume that anything they do not ascribe to Prophet ﷺ while it is from the Prophet ﷺ such an obligation that their

ijmāʾ means that it is from waḥī must require a text from Allāh and his Messenger ﷺ which does not exist.

And also as mentioned before, it is possible that they remained silent because they did not know the issue, or they later changed their view, this is very common. And lastly, what is more deserving to be said regarding their claim, "Because of the reason there is ijmāʾ sukūtī we know it is from the Prophet," Is: Because of the reason we know there is no authentic texts from the Prophet ﷺ regarding this ijmāʾ sukūtī we know that it is not from the Prophet. We resolved this in entirely before in the chapters about ijmāʾ and all praise is for Allāh. And everything we mentioned just before applies here as well. All praise be to Allāh, there is no power or strength except by Allāh. The Most High, the Most Great.

This means that a ruling remains as it is, not because of an evidence that makes it remain but because of there being no evidence indicating that the ruling is changed. So whenever there is a ruling in the Qurʿān and authentic Sunnah then it is not allowed for anyone to claim that because of some circumstances, or a change in time or change in place that the ruling is invalid or different. Whoever claims any of that must bring decisive evidence from the Qurʿān and Sunnah that it is invalidated. The obligation is remaining with the Qurʿān and Sunnah as long as the name of the thing ruled is applied because that is the certainty and claims of change is false. So the rulings of the Qurʿān and Sunnah remain till the day of judgment as they are.

And likewise is the case with rulings on people such as claiming that an ʿadl person is a fāsiq or that the one that owned property that his ownership changed and that the one that died with inheritance to be distributed that he became a kāfir. It is not allowed to move away from the previous cases except with evidence.

The decisive evidence for this is the sound transmission, from every disbeliever and believer, that the Messenger of Allāh ﷺ came to us with this dīn, and stated that he is the last of the prophets and the seal of the messengers, and that his dīn is binding upon every living being and upon everyone who will be born until the Day of Resurrection, in every land. So it is established that there is no meaning whatsoever to the changing of time, nor to the changing of place, nor to the altering of circumstances. Whatever has been established remains established forever in every time and in every place and in every condition, until a text comes that transfers it from its ruling in another time, or another place, or another circumstance.

Likewise, if a text comes obligating a ruling in a certain time, or in a certain place, or in a certain circumstance, and that is clarified for us in the text, then it is obligatory not to transgress the text. That

ruling is not then binding outside of that specific time, nor outside of that specific place, nor outside of that specific circumstance.

Allāh the Exalted said, “And whoever transgresses the bounds of Allāh has indeed wronged himself.” [al-Ṭalāq: 1]

And the Messenger of Allāh ﷺ ordered the one who does not know how many rakʿahs of prayer he has prayed to continue praying until he is certain of having completed them, and remains doubtful regarding any increase[167].

This is because he is certain that he has not prayed what is required of him, and therefore he must pray it. This is the exact wording of our position.

As for when the name itself changes, then the ruling has changed without any doubt, like something intoxicating (khamr) turning into vinegar, whether by itself or by being made to undergo that change; for khamr was only prohibited because it is khamr, while vinegar is not khamr. And like feces becoming dust its ruling then drops. And like the milk of a khanzīrah, or carrion, or filth eaten by chickens, or suckled by a young goat — the prohibition is void once the name of the milk, the carrion, and the khamr no longer applies.

Whoever prohibits something to which the name — by which the prohibition came — does not apply, is no different from one who makes lawful part of what does fall under the name by which the prohibition came. Both are transgressors of the limits of Allāh Most High: “And whoever transgresses the limits of Allāh has indeed wronged himself.” [al-Ṭalāq: 1]

Every iḥtiyāṭ (sadd al-dharāʾiʿ) that is an addition that in the religion or a decrease or a change is not iḥtiyāṭ and is not good, it is instead destruction, misguidance and a ruling Allāh has not permitted.

[167] Ṣaḥīḥ Muslim 571 | Sunan Abī Dāwud 1024

Aqallu Mā Qīl

If there is a naṣṣ obliging an act, then the least thing by which the word doer occurs on the one that does it, the obligation is removed from him, such as the one ordered with ṣadaqa then with whatever he gives ṣadaqa he has fulfilled what he is ordered and he is not ordered anything more because that is a claim without naṣṣ. There is no way for Allāh to be a ruling in the Sharīʿah that we are obliged for which he has not made dalīl from the naṣṣ, Allāh said, “We have not neglected in the book anything.” [Al-Anʿām: 38]

Whatever is not from the book is not from the religion and is invalid. Doing the least thing that is ordered is performing the order as it came and any claim for more is a claim without evidence

Ikhtilāf

A group has said, “Ikhtilāf is possible in such and such matters.”

This is false, Ikhtilāf must be never possible nor allowed at all. The only obligation is following what has come in the Qurʿān and the Prophet ﷺ.

If the people of the earth concur on obeying what is in some of the Qurʿān and Sunnah, then that does not make obedience to it more obliging or stronger and when many abandon it, that does not make its obligation weaker nor does it make its obedience weaker.

A group said, “Ikhtilāf is mercy.”

This is a saying without evidence and against evidence as everything other than the ḥaqq in a matter is false, it is then impossible for what is false to be mercy.

And Allāh said, “But they will not cease to differ, Except whom your Lord has given mercy, and for that He created them.” [11:119]

The Prophet ﷺ said that Abū Bakr was wrong in a tafsir he did[168].

And the Prophet ﷺ declared ʿUmars taʿwīl about hijrah false[169].

And declared Usayd ibn Ḥuḍayrs taʿwīl false about the man whose own sword killed him[170]

And declared Abū al-Sanābils fatwā about the ‘iddah false[171].

So it is impossible, never at all possible for the Prophet ﷺ to order us to follow what he declared false so that he orders with falsehood, exalted is Allāh above this.

Allāh says: “Indeed, it is We who sent down the Qur'an and indeed, We will be its guardian.” [8:46]

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[168] Ṣaḥīḥ Muslim 2269

[169] Ṣaḥīḥ Muslim 2502

[170] Ṣaḥīḥ Muslim 1802

[171] Ṣaḥīḥ Muslim 1483

And Allāh says: “And those who differ therein are full of doubts. They have no (certain) knowledge, they follow nothing but conjecture.” [4:157]

And Allāh says: “But no, by your Lord, they will not [truly] believe until they make you, [O prophet], judge concerning that over which they dispute among themselves and then find within themselves no discomfort from what you have judged and submit in [full, willing] submission.” [4:65]

And Allah said, “If it had been from [any] other than Allāh, they would have found within it much contradiction.” [4:82]

And Allāh says: “[We sent] messengers as bringers of good tidings and warners so that mankind will have no argument (Ḥujjah) against Allāh after the messengers.” [4:165]

Allāh says: “What is there after the truth, except misguidance” [10:32].

And Allah said, “And hold firmly to the rope1 of Allāh all together and do not become divided.” [3:103]

And Allāh says: “Do not be like those who differed and divided.” [3:105]

And Allāh says: “And do not dispute with one another.” [8:46]

And Allāh says: “Mankind were one community and Allāh sent Prophets with glad tidings and warnings, and with them He sent down the Scripture in truth to judge between people in matters wherein they differed. And only those to whom (the Scripture) was given differed concerning it after clear proofs had come unto them through hatred, one to another. Then Allāh by His Leave guided those who believed to the truth of that wherein they differed. And Allāh guides whom He wills to the Straight Path.” [2:213]

And Allāh says: “Truly, the religion with Allāh is Islām. Those who were given the Scripture did not differ except, out of mutual jealousy, after knowledge had come to them. And whoever disbelieves in the Ayat of Allāh, then surely, Allāh is Swift in calling to account.” [3:19]

And Allāh says: “And We have not revealed to you the Book, except for you to make clear to them that wherein they have differed.” [16:64]

And Allāh says: “That is because Allāh has sent down the Book in truth. And verily, those who disputed as regards the Book are far away in opposition.” [2:176]

And Allāh says: “And We gave them clear proofs of the matter [of religion]. And they did not differ except after knowledge had come to them - out of jealous animosity between themselves. Indeed, your Lord will judge between them on the Day of Resurrection concerning that over which they used to differ.” [45:17]

And Allāh says: “And indeed We settled the Children of Isrāʿīl in an honourable dwelling place, and provided them with good things, and they differed not until the knowledge came to them. Verily, Allāh will judge between them on the Day of Resurrection in that in which they used to differ.” [10:93]

And Allāh says: “If Allāh had willed, succeeding generations would not have fought against each other, after clear Verses of Allāh had come to them, but they differed - some of them believed and others disbelieved. If Allāh had willed, they would not have fought against one another, but Allāh does what He likes.” [2:253]

And Allāh says: “And if your Lord had so willed, He could surely have made mankind one nation but they will not cease to differ except those whom Allāh has given mercy.” [11:118-119]

And Allāh says: “If you differ in anything amongst yourselves, then refer it to Allāh and His Messenger.” [4:59]

And Allah said, “What We enjoined upon Abraham and Moses and Jesus - to establish the religion and not be divided therein.” [42:13]

And Allah said, “And, [moreover], this is My path, which is straight, so follow it; and do not follow [other] ways, for you will be separated from His way.” [6:153]

And Allah said, “Indeed, those who have divided their religion and become sects - you, [O Muḥammad], are not [associated] with them in anything.” [6:159]

And the Prophet ﷺ said, “Those who came before you only became ruined by their differences (Ikhtilāf) about the book.”[172]

And the Prophet ﷺ said, “Do not differ, for those who came before you differed then became ruined.”[173]

And the Prophet ﷺ said, “Leave me as long as I leave you, for those before you only became ruined by their many issues and their differences with their prophets.”[174]

And the Prophet ﷺ said, “Recite the Qurʾān as long as your hearts are in harmony with it; and when you fall into disagreement regarding it, then stand up (separate from it).”[175]

And the Prophet ﷺ said, “Indeed, Allāh is pleased with three things for you and He dislikes three things for you. He is pleased with you that you worship Him and associate nothing with Him, that you all hold fast to the rope of Allāh, and that you do not become divided. And He dislikes for you idle talk, excessive questioning, and the wasting of wealth.”[176]

Even some of these suffices, then how when there are amount of texts indicating it are many. So Allāh said that ikhtilāf is shiqāq and baghī and prohibited dispute and dividing in the religion in general and threatened Ikhtilāf with severe punishment and said that Ikhtilāf is differing from the path of Allāh and whoever is not in the path of Allāh is in the path of satan, Allāh said, “The truth as become clear from the falsehood.” [2:255]

Allāh said that Ikhtilāf is not from him and the meaning of that is that he is not pleased with it, Allāh only willed/wanted it with the

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[172] Ṣaḥīḥ Muslim 2666

[173] Ṣaḥīḥ al-Bukhārī 2279, 2410

[174] Ṣaḥīḥ Muslim 1337 – 412

[175] Ṣaḥīḥ Muslim 2667

[176] Ṣaḥīḥ Muslim 1715

meaning of creating it just has Allāh willed/wanted kufr and other disobediences to him.

If it is said, “Do you then make the companions and the upright people part of this condemnation?”

No the condemnation and threat mentioned is only for those who abandon clinging unto to rope of Allāh which is the Qurʿān and the Sunnah, after the naṣṣ reaches them and after the ḥujjah is established and calls after that to his differing path. Those are the ones we mean when we prohibit Ikhtilāf and prohibit.

And this also answers their question, “There is no way out of Ikhtilāf, how can it ever be avoided?”

Because what is not meant is the essence of Ikhtilāf but what comes with it which is turning away from the Qurʿān and what has come from the Prophet ﷺ . Allāh has taught us the way to the ḥaqq and has not left us in doubt, so He said, “If you differ in anything then return it to Allāh and his Messenger if you believe in Allāh and the last day.” [4:58]

Allāh said, “And, [moreover], this is My path, which is straight, so follow it; and do not follow [other] ways, for you will be separated from His way.” [6:153]

And Allāh said, “And hold firmly to the rope1 of Allāh all together and do not become divided.” [3:103]

So holding on to the Qurʿān and what the Prophet ﷺ came with saves a person from the threats that has come about Ikhtilāf and only after the ḥujjah is established upon a person after he assumed falsely to be upon the Qurʿān and what the Prophet ﷺ came with then he becomes part of the threats about Ikhtilāf.

The Truth is Only in One and All Other Sayings are False

A group said, “Every single mujtahid is correct and every single mufti is correct in his fatwā even if it contradicts.”

They mention the narration, “If the one that gives a ruling does ijtihād and is wrong then he earns one reward.”[177]

This is not a Ḥujjah as the naṣṣ of the Ḥadith is that the one that gives a ruling is wrong, this is what we say not they, and he is not rewarded for his mistake , it is not allowed to take from mistakes but he is rewarded for his ijtihād because that is seeking the ḥaqq and speaking with raʿī is not ijtihād. His mistake is not rewarded but he is removed from sin by the saying of Allāh, “And there is no sin on you concerning that in which you made a mistake1, except in regard to what your hearts deliberately intend.” [33:5]

They also mention that there are differences in the qirāʿāt and that it is allowed to choose between matters in kaffārat and that all of these are allowed while they are differences.

And this is no ḥujjah for them in this matter, because the differing qirāʿāt are not contradictory, and we do not deny correctness in what is not contradictory, nor in what Allāh has ordered. What is denied are contradictory rulings, that one ruling can be both ḥalāl, ḥarām or wajib and not wajib at the same time, obedience and disobedience, at the same time, for the same person, from the same aspect. This is what is false, negated and invalidated, and it is something that cannot be comprehended by the mind of anyone with even a little reason (ʿaql), because it is the extreme of impossibility which cannot be formed in the soul (nafs), let alone be bearable in practice.

[177] Al-Mujtaba of al-Nasāʾī 5381

And the differences in the qirāʿāt that they mentioned, such as the basmalah, some of the readers (qurrāʾ) recite it at the beginnings of the surahs while some omit it; all of that is permissible (mubāḥ). Whoever omits it, it has been permitted for him, and whoever recites it, it has been permitted for him. Because these are all qirāʿāt that come from the Prophet ﷺ these different manners were taught by him.

And likewise is the freedom of choice in the expiation of oaths (kaffārat al-ayyām) between feeding (al-iṭʿām), clothing (al-kiswah), or freeing a slave (ʿitq); nothing in that is contradictory. Because it is ordered to choose. None of this has any relation to what is impossible from contradictory rulings which they allow the following of.

They also mention the narration in which the Prophet after the ghazwa of Khandaq ordered everyone not pray the ʿAṣr prayer except at Banī Qurayẓah, then a group prayed ʿAṣr when the time entered before they reached ʿAṣr and the other group prayed it only after they reached it and this news reached the prophet ﷺ and he did not rebuke.

This is not a Ḥujjah for two main reasons:

The first is that from everything previously clarified it is established that the Prophet ﷺ never acknowledges something false whatsoever and that it is impossible, and prayers have their beginning and ending time, so it is obligatory to make a specification of the least amount and that is that this prayer is the only prayer in Islām with this description so as the Prophet ﷺ did not rebuke any he only allowed both actions in this specific case only. When the Prophet ﷺ acknowledges something after he prohibited it or ordered it, then it is not allowed to claim that his acknowledgment was to something false, because as preceded something false can never allowed in the religion. So the Prophet ﷺ with this acknowledgment only allowed both ways of doing it in this case specifically just as we mentioned many cases where he would acknowledge something after prohibiting it, none of this means that doing something false is not false instead it is only an additional clarification for that ruling.

And also the second reason is that the wrong mujtahid is not rebuked and it is a prayer that came to an end that does not come into existence anymore, its obligation ended so they do not have an obligation upon them and no one is rebuked for doing what is not obligatory.

And they mention what Ṭāriq ibn Shihāb narrated, "That a man became junub and did not pray. Then he came to the Prophet ﷺ and mentioned that to him, and he said: 'You did the right thing.' Another man became junub, performed tayammum, and prayed. Then he came to him, and he said something similar to what he had said to the first man, meaning: 'You did the right thing.'"[178]

This is weak because it is mursal Ṭāriq ibn Shihāb did not hear from the Prophet ﷺ. If this would be authentic then it is only with the meaning that the mujtahid is excused as rewarded because the one that asked first did not have with him the order of tayammum without doubt so whoever is of this description then his ruling is not to pray while he is junub at all till he is purified. And the second was knowledgeable of tayammum and did his obligation as it was obligatory and his ruling was different, not the same and both of them were correct in the aspect of acting upon what they had with them from the naṣṣ according their knowledge, we do not reject this. We only reject that something can be ḥaqq and bāṭil at the same time which is what they believe in.

And they say, "The companions differed often and they did not reject the differences from each other."

The companions are not a ḥujjah and anyone with the least knowledge about narrations know that they rejected false views with severe rejection such as about inheritance and mutʿah and ummuhāt al-awlād and other issues. And not rejection existing among them for false views is because of their tawaqquf and the truth not being entirely evident to them as mentioned before.

[178] Al-Mujtaba of al-Nasāʾī 324

And if they mention what Umm Salamah narrated from the Messenger of Allāh ﷺ said, "I am only a human being, and you bring your disputes to me. It may be that some of you are more eloquent in presenting their argument than others, so I judge according to what I hear. So whoever I judge in his favor by taking something that belongs to his brother, let him not take it, for I am only cutting out for him a piece of the Fire."[179]

This is not a ḥujjah instead it is a ḥujjah against them. For the Prophet ﷺ only carried out what he was ordered which is only judging according to the outward by the bayyinah or the oath. And he informed the people that such a judgment does not make anything prohibited permissible, nor does it make anything permissible prohibited, nor does it change anything from its reality.

So if the ruling of any judge would be the truth, and what contradicts it also the truth then that is a contradictory ruling. But this is a clear clarification that the truth is one, and that whatever opposes it is false.

And the Prophet's ﷺ outward ruling that the wealth belongs to Zayd does not necessitate that the wealth truly, in reality, belongs to Zayd; the two matters are different.

As they are different, it is possible that one of them is true while the other is false. So their argument collapses regarding the claim that the truth can be in two different, opposing positions.

Instead, he informed that the truth is truth, and that his ruling does not change it from its reality, nor does it necessitate making the thing judged in favor of someone permissible for one who is not its rightful owner.

If it is said, "Is the ruling of the Prophet ﷺ from the apparent in what he prohibited from taking in the reality a ruling that is true or a false ruling, if you say it is a false ruling that is kufr and if you say it is true then that is our saying."

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[179] Ṣaḥīḥ Bukhārī 7169

We say: it is not permissible for a Muslim to think that he rules with falsehood (bāṭil) while knowing it to be false. Whoever allows this or thinks its allowance is permissible is a disbeliever.

And saying that he only judged according to the testimony of the witnesses and the oath, and that his judgment was in truth (ḥaqq) as commanded by Allāh Taʿālā, while he ordered the one judged against what is inwardly true not to take it, is correct.

The Prophet ﷺ ruling according to what seems from the outward the Ḥaqq while it is different from what Allāh ordered inwardly (Batin) is not bāṭil, whoever calls this bāṭil is a kāfir, this type is similar to rulings like him giving taslīm ending the prayer after two or three rakʿahs and like him turning away from the blind, as mentioned in the Qurʾān. The Messenger of Allāh ﷺ intended in all of this what is correct while in these cases it is not what is with Allāh like that.

So it is established that the truth exists in one place only, necessarily. Whoever opposes it out of forgetfulness or while thinking it is truth is not sinful but will receive only one reward. But whoever opposes it knowingly and deliberately is either a sinner (fāsiq) or a disbeliever (kāfir), if it is in opposition to Islām. And Allāh Taʿālā grants success.

The Prophets never sin, not with a minor sin and also not with a major sin. Everything that is mentioned about their mistakes in the Qurʿān, all of that only happened from them, none of it was on purpose from them, they only intended good but it did not go in accordance with the ḥaqq and Allāh immediately reveals to them the ḥaqq when such happens and they never intend to disobey Allāh ever.

And we do not say that every mujtahid is ordered regarding whatever his ijtihād leads him to; instead that is precisely the error. Instead, we say: Every mujtahid is ordered to perform ijtihād and to seek the truth. Ijtihād is the action of the mujtahid, and it is not the thing that is sought by the mujtahid. Because he is ordered to seek, not to attain the exact reality of what the truth is. All ijtihād is Ḥaqq only

with the mere meaning that it is the pursuit of the truth and the intention to reach it.

And some of them said: "If the truth (ḥaqq) was only in one saying, then whatever opposes it would be misguidance (ḍalāl)."

Yes it is indeed misguidance!! But not every misguidance is disbelief (kufr) or sin (fisq) except if it is done on purpose. As for if it occurs unintentionally, then the sin is lifted from him, just like other mistakes, and there is no difference.

If they say, "If the ḥaqq would only be in one then Allāh would state that."

All the nuṣūṣ in the previous chapter about the falsehood of Ikhtilāf indicate this directly.

If they say, "The ḥākim is ordered to carry out what two upright people witness and it is possible that they might testify falsely then he is ordered to carry out what is false in reality."

Yes Allāh has ordered him to carry out what the false testimony of these two witnesses, Allāh has instead prohibited him from rejecting the two witnesses because he does not know if they are in reality sinners or were neglection. As long as he does not know these and only knows them as upright sin is raised from him about the reality and he is ordered to rule with the apparent.

He is with that not part of the mujtahidīn that are wrong because it is decisive and certain that Allāh ordered him in such a state to rule with that and that if the does not hat he disobeys Allāh.

The Prophet ﷺ clarified this by his saying, "So whoever I have fulfilled for him from the rights of his brother, let him not take it; for indeed I am merely cutting for him a piece from the Fire."[180]

So the Prophet ﷺ prohibited the one that knows the reality from carrying out what he knows to be opposition to the right.

Some said, "If Allāh burdened us to reach the ḥaqq then he would have ordered us with what we are not able."

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[180] Ṣaḥīḥ al-Bukhārī 6968

This is a weak deception Allāh did not order us from that except what we are able and whoever did not reach it while he sought it is rewarded once while his saying is wrong and the one that did reached is rewarded twice.

Some said, “If the people would be tasked with reaching the exact ḥaqq then the one that opposes would be ordered to repeat everything he did before that was false.”

I clarified before that rulings have beginning and ending times, whatever ruling is specified with a beginning and ending time, then it is not possible to perform the order in a different time except if there are specific texts ordering it in specific situations. Examples for such orders are the prayers and fasting, no one makes these up if they are missed, not the ignorant, also not the one mistaken and also not the one missing it on purpose. Only the one that forgets and the one sleeping and only the one sick and traveler for fasting only.

As for the order that does not have an ending time then it must be done the moment it is known no matter when that is such as the person that is ignorant that there is Zakāh upon barley and such as the person that did ijtihād that there is no nafaqah for his mawrūth and for his relatives, he must pay it to them forever.

Those who believe every ijtihād is correct, they without difference among them only say this about issues that have according to them no text from Qurʿān and Sunnah. And they claim that whatever does have texts then it is not allowed for anyone to do ijtihād opposing it.

And this is false because there is no new occurring issue except that it is covered by the Qurʿān and Sunnah by the methods clarified before. And what invalidates their claims in this chapter is that it implies that declare us correct in this and we declare them false because we are then correct in our saying that they are wrong with their acknowledgement. They acknowledge without doubt that those who speak with fatwā err.

And from what invalidates is that Allāh said, “If you differ in anything then return it to Allāh and the Messenger.” [4:58]

He did not let us remain on any difference and ordered us to return to Him and his Messenger.

And also the religion is not entrusted to whatever is said by those who speak, whoever says this is a kāfir.

And Allāh said, “Allāh does not burden a soul except what it is able.” [2:285]

And it is not in the ability of anyone to believe that something is obligatory and not obligatory at the same time and that something can be ḥarām and ḥalāl at the same time.

And it is not for the mufti to legislate and also not to allow and also not to permit he must only bring what Allāh and his Messenger ordered in the matter.

And Allāh said, “Today I completed for you your religion.” [5:4]

This is an additional clarification that there is no new occurring issue except that it is covered by the texts.

And Allāh said, “Do not say that which your tongues describe of lies this is ḥalāl and this is ḥarām.” [Al-Naḥl 116]

So nothing can be ḥalāl or ḥarām by the differences of the fuqahāʾ.

And the Prophet ﷺ said, “The ḥalāl is clear and the ḥarām is clear and between them are mutashābihāt that many do not know.”[181]

If the matter would be as they said then everyone would be knowledgeable of the mutashābihāt but it is established by this text that the one that does not know it is wrong and has not reached the ḥaqq in it. What is sufficient for All of this is that Allāh has stated. That his path is one and that the other paths are divergences from his path.

And we mentioned before that the Prophet ﷺ declared wrong groups of companions such as him declaring Abū Bakr wrong about

[181] Ṣaḥīḥ Muslim 1599 – 107

the dream and ʿUmar in his saying about the hijrah of the Muhājirīn to Ḥabasha and to Usayd ibn al-Ḥuḍayr about his saying that the jihad of ʿĀmir ibn al-Akwaʾ is invalid and the other fatāwa in which they were wrong like Abū al-Sanābil about the pregnant whose husband died and like these there are many.

Shudhūdh (Deviance)

A group said, “Deviance is when one departs from the “scholars” or when there is agreement then someone departs from the agreement.”

The truth, and wht is only correct is that the limit of deviance is only opposition to the ḥaqq everyone that opposes what is correct in an issue then those are shaadh in that whether they are all of the people on earth or some of them or some or few. Even if it is only one person that is correct, then that one person is the jamāʿah in that Abū Bakr and Khadījah were the only ones that became Muslim they two were the jamāʿah and all habitants on earth other than the Prophet and other than them two were ahl shudhūh.

Allāh said, “We did not create the heavens and earth and what is between them except in truth.” [46:3]

So as the aṣl is the ḥaqq then what is bāṭil is departing from it and that is then shudhūh deviance from it, so as ḥaqq is not shudhūh and there does not exist except ḥaqq or bāṭil it is established that shudhūh is bāṭil.

Anyone that is led somewhere by decisive evidence from the naṣṣ to a certain saying and no one is known to have preceded him in it then he must remain with that and whoever opposes him opposes the ḥaqq and disobeys Allāh.

Allāh said, “Bring your decisive evidence if you are truthful.” [2:110]

Allāh and his Messenger never made it a condition that someone must say a saying with someone or precede him in it and instead rejected that on the one that said it when he said about the kuffār, rejecting their saying when they said, “We never heard this in millah this is only a fabrication.” [sad: 6]

Dalīl (External Evidence)

The Qurʿān and Sunnah cover all new occurring issues either by its naṣṣ or dalīl. With dalīl what is not meant is mere ‘evidence’ in general, it is more specific than that. So naṣṣ is when its exact wording indicates, and dalīl is when its meaning indicates it. And this dalīl is of seven types all of which come under naṣṣ.

The first of them are two premises from which something is resulted that is not stated explicitly in them, such as the saying of the Prophet ﷺ, “Every intoxicant is khamr and every khamr is prohibited.” This results that every intoxicant is ḥarām, these are two premises that are a decisive dalīl that every intoxicant is ḥarām.

The second of them is a condition that is connected to an attribute, then wherever that is found then it obliges what is connected to that condition, such as the saying of Allāh, “If they desist what preceded from them is forgiven.” [Al-Anfāl: 38]

This establishes that whoever stops is forgiven.

The third of that is a word from which a meaning is understood but is led by another word, this type is called mutalāʿimāt.

Such as the saying of Allāh, “Verily Ibrāhīm is Abraham was truly tender-hearted, forbearing.” [9:114]

From this it is necessary understood that he was not foolish. And this is one meaning which is expressed by various words such as your saying, “Dhaygham,” “Asad,” “Layth,” “Dhirghām,” “ʿAnbasa.” All of these mean the same which is Asad.

The fourth are statements that are divided into categories, then all of which are invalid except for one; then that one establishes by the others being invalidated by necessity. such as saying that something is either ḥarām, or farḍ or mubāḥ. And if it is neither farḍ nor ḥarām, then it is mubāḥ.

The fifth category are tiered premises so it necessitates that the highest tier is above the one below it even if it is not explicitly said that it is the highest such as when you say Abū Bakr is better than Umar

and Umar is better than ʿUthmān, so Abū Bakr is then greater than ʿUthmān.

The sixth is to say every intoxicant is ḥarām, it is with this established that some of what is prohibited are intoxicants. The necessitating complete reflects parts.

The seventh is a word that holds many meanings such as saying zayd is writing, it is established from this that he is alive and that he has limbs and that he has tools that he manages. And such as the saying, "Every soul tastes death," [3:185] this establishes that Zayd will die and that Hind dies and that ʿAmr dies

These are the evidences we use these are the meanings of the nuṣūṣ and what is understood from them, they all come under the naṣṣ and do not depart from it

The Sharīʿah is Obligatory for Every Muslim and Kāfir on Earth

Allāh said, “And We have not sent you except comprehensively1 to mankind.” [Sabaʾ: 28]

And Allāh said, “Whoever seeks other than Islām as religion it will not be accepted from them.” [3:85]

Allāh said, “[Who will be] in gardens, questioning each other. About the criminals, "What has caused you to enter Hell?" They will say, "We were not of those who prayed, Nor did we used to feed the poor. And we used to enter into vain discourse with those who engaged [in it], And we used to deny the Day of Recompense Until there came to us the certainty [i.e., death].” [74:40-47]

So Allāh said that he punishes those who belie the last day who are the kuffār.

Allāh said, “Then into a chain whose length is seventy cubits insert him. Indeed, he did not used to believe in Allāh, the Most Great, Nor did he encourage the feeding of the poor.” [69:32-34]

So the kuffār are addressed with all rulings and are obliged to perform them except that there are some rulings that are not accepted except after their Islām such as prayer fasting and Ḥajj because of no niyyah.

Allāh said, “Fight against those who do not believe in Allāh or in the Last Day and who do not make ḥarām what Allāh and His Messenger have made ḥarām.” [9:29]

The Prophet ﷺ said, “There is no one born except on this religion.”[182]

So the people are all born on Islām and this is the taʿwīl of the verse, “We presented the amānah to the heavens.” [33:72

So accepting the religion of Islām is the amānah.

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[182] Ṣaḥīḥ Muslim 2658

Allāh created the souls, then made them accept Islām then send the souls to the bodies.

The saying of Allāh, “Lest you say on the day of judgment we were unaware of this.” [Aʿrāf 172]

Is a clarification that the souls when they enter the bodies of the earth they lose their discretion and the memories of past are lost then when the soul leaves the bodies the senses return and discretion.

If the kuffār would not be addressed with the rulings then they would also not be addressed with the rulings that they are kuffār because of all of this, the verse, “There is no compulsion in religion.” [2:255] is specific only for Ahl al-Kitāb only.

Can a Prophet Make Mistakes?

As for making mistakes, that is established and there are many verses in the Qurʿān about many Prophet falling into mistakes, but as for minor and major sins, then based on everything that preceded such as the verse, “I follow nothing but what is revealed on me.” [Al-Aḥqaf: 9]

And the verse, “Nor does he speak from [his own] inclination It is not but a revelation revealed.” [53:3-4]

And the verse, “It is not for me to change it on my own accord.” [10:15]

It is established that the Prophet ﷺ never sin, not a minor and also not a major sin at all.

And the Prophet never says or does except conveying the religion of Allāh. So there is no way for him ﷺ to do ijtihād.

There are people who claim that the Prophet ﷺ can do minor sins or that he ﷺ can do ijtihād, both of these are false.

If the one opposing this mentions the verse, “It is not for a prophet to have captives [of war] until he inflicts a massacre [upon Allāh's enemies] in the land.” [Al-Anfāl: 67]

And the verse, “He [i.e., the Prophet (ﷺ)] frowned and turned away.” [80:1]

The answer: We do not reject that the Prophet ﷺ can do that for which no prohibition has yet preceded from his Lord, except that Allāh never leaves him upon that and informs him.

We do not reject “mistakes” from the Prophet ﷺ him intending by that good, except that it is not possible at all that he remains upon that, and these mistakes can never be at all in rulings of the religion.

When the Prophet ﷺ does such mistakes then it is only in what he assumed allowed for him as there is no prohibition preceding it.

And when the Prophet ﷺ consults the companions in matters then it is only in matters that are allowed to do and not to do such as in wars.

This is what the Prophet meant with his saying, “You are most knowledgeable about the matters related to your world.”[183]

If they mention the narration attributed to the Prophet ﷺ, “I decide between you on the basis of my opinion in cases about which no revelation has been sent down to me.”[184]

This is weak as Usamah ibn Zayd is weak munkar al-ḥadīth.

The Prophets never sin, not with a minor sin and also not with a major sin. Everything that is mentioned about their mistakes in the Qurʿān, all of that only happened from them, none of it was on purpose from them, they only intended good but it did not go in accordance with the ḥaqq and Allāh immediately reveals to them the ḥaqq when such happens and they never intend to disobey Allāh ever.

[183] Ṣaḥīḥ Muslim 2363 -141

[184] Sunan Abī Dāwud 3585

Sharīʿah of the Previous Prophets

No Sharīʿah, meaning any of the rulings of any previous Prophet before Muḥammad that are mentioned in the Qurʿān and Sunnah are to be followed. And it is not possible to claim that all those rulings are acted upon except what our Sharīʿah invalidates as will be clarified that only the people for those prophets were addressed with those rulings.

Those who oblige the rulings mentioned in the Qurʿān and sunnah about the previous prophets mention the verse, "And let the People of the Gospel judge by what Allāh has revealed therein. And whoever does not judge by what Allāh has revealed - then it is those who are the defiantly disobedient." [5:47]

This is not a Ḥujjah for them because there is no difference between two Muslims that this is abrogated.

And they mention the verse, "Indeed, We sent down the Torah, in which was guidance and light. The prophets who submitted [to Allāh] judged by it for the Jews, as did the rabbis and scholars by that with which they were entrusted of the Scripture of Allāh, and they were witnesses thereto." [5;48]

This is not a Ḥujjah, Allāh only meant here the prophets of Banī Isrāʿīl not Muḥammad because Allāh said, "Whoever follows other than Islām as religion, it is not accepted from them." [3:84]

And the clarification for that is the saying of Allāh in the same Āyah, "The prophets who submitted [to Allāh] judged by it for the Jews." [5:44]

And we do not have prophets we only have one Prophet and all Prophets are Muslims. Allāh mentioned about the previous prophets that they said that they were ordered to be from the Muslimīn.

And Allāh mentioned the people of the book that they said, "They say, 'Be Jews or Christians [so] you will be guided.' Say, 'Rather, [we follow] the religion of Abraham.'" [2:135]

So it is established that Allāh prohibited from the religion of the jews and Christians and ordered us with the religion of Ibrāhīm. Allāh

said, “O People of the Scripture, why do you argue about Abraham while the Torah and the Gospel were not revealed until after him?” [3:65]

So it is established that the Sharīʿah of Ibrāhīm was before the Tawrāh while and his Sharīʿah is obligatory on us, it is from the impossible that we are ordered to follow something after our Sharīʿah. So it is established that the verse, “The prophets who submitted [to Allāh] judged by it for the Jews.” [5:44] is about the prophets of Banī Isrāʿīl only.

If they say, “There is no difference between the Tawrāh, the Sharīʿah of Ibrāhīm and our Sharīʿah.”

And they mention the Ḥadith attributed to the Prophet ﷺ that he said, “The Prophets are brothers from one father and different mothers, and their religion is one. There is no Prophet between us.”[185]

Then their religion being the same is only in tawḥīd in which no one differed.

Because Allāh also said, “To each of you We prescribed a law and a method.” [5:48]

And Allāh also said about ʿĪsā, “I will permit some of what was prohibited to you.” [Al-Imran: 49]

And this is also declared false by the order of saby and the prohibition of those with nails and what Banī Isrāʿīl prohibited for themselves.

They also mention the verse, “Follow their guidance.” [Al-Anʿām: 91]

This is not a Ḥujjah for them because what we are ordered with to follow them in is that what is general which is then what their Sharīʿah agrees on which is tawḥīd. Allāh said, “He has ordained for you of religion what He enjoined upon Noah and that which We have revealed to you, [O Muḥammad], and what We enjoined upon Abraham

[185] Ṣaḥīḥ Muslim 2365

and Moses and Jesus - to establish the religion and not be divided therein." [42:13]

So Allāh stated that all of them are ordered not to differ in the religion and this is the same as the text of the Prophet ﷺ that the religion of the prophets are one. And there are many thing that are now prohibited that were allowed before and things obligatory that are not obligatory and the opposite as well.

And Allāh said, "Had Allāh willed, He would have made you one nation [united in religion], but [He intended] to test you in what He has given you" [5:48]

And He said, "For every nation there is a direction to which they face." [2:147]

So it is established that Allāh made a difference in their rulings and their paths for every one of them and each prophet addresses their rulings to their people and as Allāh said, Because Allāh also said, "To each of you We prescribed a law and a method." 5;48 only those rulings that are addressed to the people of those rulings are obligatory on the people it addresses not to others.

And Allāh said, "Allāh wants to make clear to you [the lawful from the unlawful] and guide you to the [good] practices of those before you." [4:26]

This is the same as before because of everything preceded that which is followed is only what they agree upon which is not the rulings but tawḥīd.

What clarifies this further is that Allāh said about the Messenger of Allāh, "Indeed, I have left the religion of a people who do not believe in Allāh, and they, in the Hereafter, are disbelievers And I have followed the religion of my fathers, Abraham, Isaac and Jacob. And it was not for us to associate anything with Allāh." [Yūsuf 37-38]

So he clarified that they agreed on tawḥīd only.

And Allāh mentioned that Isrāʿīl who is Yaʿqūb prohibited himself things that was allowed and that is not the Sharīʿah of Ibrāhīm

so it is established that it was allowed for Isrāʿīl to prohibit himself from some food.

And it is not in our Sharīʿah to prohibit oneself from food that Allāh allowed and Yaʿqūb combined two sisters and this is not in our Sharīʿah so when He made Yūsuf the millah of Ibrāhīm and Yaʿqūb the same while their rulings are different it is established that he only meant tawḥīd.

And they mention the saying of the Prophet ﷺ when he ﷺ saw the jews fasting the day of ʿĀshūrāʾ, "We are more deserving of Mūsa than them."[186]

This is not a Ḥujjah for them because he only fasted it because of Allāhs order if it would not be because of that he would not have followed them in that. So it only depended on the order of Allāh not because of the reason of their actions and because of following the previous rulings of the prophets.

And they mention that the Prophet ﷺ called for the tawrāh the day he stoned the two jews and that he asked them, "What do you find in the tawrāh?" When he told them about stoning and that they abandoned it, he ﷺ said, "I am the first that revives the order of Allāh."[187]

This is not a ḥujjah because the Prophet ﷺ did not stone the two jews except because of the tawrāh, not because Allāh ordered revealed to him at that moment leaves Islām because he ascribes to the Prophet ﷺ disobedience to Allāh in what he ordered to him in his revealed Sharīʿah as he abandoned it and followed what is revealed in the tawrāh while Allāh told that the jews distort the words from their places. It is from severe kufr to believe that the Prophet ruled with a book that he is informed about it being distorted.

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[186] Ṣaḥīḥ Bukhārī 4737

[187] Ṣaḥīḥ Muslim 1699 | Sunan Abī Dāwud 3624

As for what is narrated about the Prophet ﷺ that he would love to go in accordance with Ahl al-Kitāb in that which nothing is revealed on him[188].

This is a ḥujjah for us against them because he would only go in accordance with Ahl al-Kitāb in what nothing is revealed on him, so it is established that he only did that in what is allowed to do and to abandon from what he is not prohibited or ordered. This is not part of this chapter, this chapter is only about their ruling being obligatory in general or as long as it is not something prohibited. There is nothing in this narration about the obligation of any of that.

The decisive evidences that we are only obliged the rulings of Muḥammad is that the Prophet ﷺ said, "I have been given 5 which no one before me was given, all prophets were only send to their people only and I have been send to every red and black[189]

And the Prophet ﷺ said, "I have been preferred over the prophets by six… I have been sent to all creation comprehensively."[190]

This clarifies that every Prophet before Muḥammad was only sent to their people only, as that is established with certainty it is established that other than their people are not obliged the Sharīʿah of a prophet other than them, so it is established with certainty that no one is sent to us other than Muḥammad ﷺ.

And whoever obliges whatever is not prohibited in our Sharīʿah has invalidated the virtu that Muḥammad was given and invalidates that others were only sent to their own people.

Allāh said about our prophet ﷺ, "We have not sent you except for the people comprehensively." [34:28]

And He also said ordering him to say, "I am the Messenger of Allāh to all of you." [7:158]

Addressing with this all people entirely and Allāh ordered him to call mankind and jinn to iman.

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[188] Ṣaḥīḥ Muslim 2336 | Sunan Abī Dāwud 4188

[189] Ṣaḥīḥ Muslim 521 Al-Mujtaba 432

[190] Ṣaḥīḥ Muslim 523

Allāh also said, “That you may warn a people whose forefathers were not warned, so they are unaware.” [36:6]

And Allāh said, “lest you say, ‘There came not to us any bringer of good tidings or a warner.’” [5:19]

Then what is mentioned to be followed is only what they all agreed on which is tawḥīd only as Allāh said, “They say, ‘Be Jews or Christians [so] you will be guided.’ Say, ‘Rather, [we follow] the religion of Abraham, inclining toward truth, and he was not of the polytheists.’ Say, [O believers], ‘We have believed in Allāh and what has been revealed to us and what has been revealed to Abraham and Ishmael and Isaac and Jacob and the Descendants [al-Asbāṭ] and what was given to Moses and Jesus and what was given to the prophets from their Lord. We make no distinction between any of them, and we are Muslims [in submission] to Him.’ So if they believe in the same as you believe in, then they have been [rightly] guided.” [2:135-137]

What clarifies this further are the verses, “Or were you witnesses when death approached Jacob, when he said to his sons, ‘What will you worship after me?’ They said, ‘We will worship your God and the God of your fathers, Abraham and Ishmael and Isaac - one God.1 And we are Muslims [in submission] to Him.’” [2:133]

Here Allāh clarified what he made them similar in which is worshiping Allāh alone and acknowledging that he is the ilah alone. Then Allāh said in the next verse, “That was a nation which has passed on. It will have [the consequence of] what it earned, and you will have what you have earned.” [2:134]

So He then said that he does not ask them about what the previous do and as we are not asked about what they do then it is established that we are not obliged that at all. If it would be obligatory we would be asked about it. Muḥammad ﷺ was not upon any Sharīʿah of previous prophets but Allāh willed that he was upon tawḥīd and that he did not commit zinā show ʿawrah or lie.

Some people said Nūḥ was sent to everyone on earth. This is a lie because before anything there is no evidence whatsoever anywhere

in the Qurʿān and Sunnah that everyone on earth was taken by that flood, then it invalidates the saying of the Prophet ﷺ that only he was sent to everyone, and then the flood inherently does not imply that those taken by that flood were addressed by Nūḥ as there were among them animals and children and Allāh also said that Nūḥ was sent to his people, "And We had certainly sent Noah to his people, [saying], 'Indeed, I am to you a clear warner." [11:25]

And the saying of the Prophet ﷺ about Nūḥ, "O Nūḥ you are the first messenger to the people of the earth."[191]

There is no indication in. this that he was sent to everyone on earth. And Ādam was also not sent to everyone on earth. Ādam was one of two with no third to it. He either had another prophet with him that was not send to Ādam. Or his sons were not obliged the Sharīʿah of his father, a person can be a prophet while in his cradle like ʿĪsā and perhaps Ādam had a child that was a prophet when he went to this earth such that Ādam was not sent to him. Except that it is certain without doubt that Ādam was not sent to everyone in his generation, there were no people there except his wife Ḥawāʾ and his sons only.

The Prophet ﷺ said in the Ḥadīth we mentioned that Nūḥ was the first messenger to the people of the earth and there is also no doubt that Ādam was also a messenger, so this means that the risalāh message of Ādam was only to the people of the heavens only, saying to them from Allāh, "Tell me the names of these." [2:31] telling them their names he received at that point already revelation and conveyed it which is the meaning of a messenger and Ādam was ordered by Allāh to others[192].

So he was not sent to the people of the earth at all.

His children and wife received revelation about tawḥīd then to every group prophets were sent then Nūḥ was sent to his people specifically with his Sharīʿah as the prophet ﷺ and was sent to the people with punishment. And this specification is because it is certain

[191] Ṣaḥīḥ Muslim 194

[192] Ṣaḥīḥ Muslim 2841

and established by the previous texts as clarified that Muḥammad is the only prophet who is sent to everyone.

The Actions of Ahl al-Madīnah

Even if it would be the case that Ahl al-Madīnah would be the most knowledgeable about the religion of Allah, then what? This does not imply the obligation of taking from any of their sayings. Allāh did not reveal revelation upon any of them, nor did he allocate them a place in which they rectify what the Prophet ﷺ left, nor is any of them infallible, nor did Allāh ever make any of such sayings part of the religion, nor did Allāh ever task us do consider as if such is what the Prophet ﷺ said, and the Prophet ﷺ corrected dozens of their mistakes in his ﷺ lifetime in all aspects of the religion and they erred hundreds of times after the passing of the Prophet ﷺ. So what is only obligatory in following them is what they narrate from the Prophet ﷺ only and nothing else. Then how when there is no difference between them and others as will be clear after this by the will of Allāh?

Those who say no narration is accepted except till ahl al-madīnah acts upon it. That action has a beginning and if it was not acted upon in the beginning then it was false in the beginning. If. There was any time it was not acted upon it was false at a time. There is no way except to affirm that it was valid before it was acted upon and as that is the case then them acting upon it does not increase its validity and also not them abandoning it.

And if they say that only their action decided the validity of it then they make their actions what legislate for them and this is kufr. And there is no way but to affirm that ahl al-madīnah differed in many matters.

Then what makes following some of them better than the others? Nothing is valid except by returning the matter to nothing other than the Qurʿān and Sunnah as Allāh ordered for any difference as He said, “And if you disagree over anything, refer it to Allāh and the Messenger, if you should believe in Allāh and the Last Day.” [Nisāʾ: 59]

If it is said, “Many companions and tābiʿīn abandoned many narrations that reached them from the Prophet ﷺ, they either abandoned them disdaining them which is kufr or they abandoned them because of a surplus knowledge that was with them and this is earlier to be assumed of them.”

This is false from many manners:

This is a false because them abandoning is not because of these two possibilities, the possibilities are ijtihād, forgetfulness and ignorance and nothing else because disdain is never affirmed for them and what is also not affirmed for them is them concealing what they have from the Prophet ﷺ instead they make it apparent attributing it to the Prophet ﷺ narrating it to the people and conveying it, this is the necessary attribute if the companions have anything from the Prophet ﷺ, not doing this is concealing part of the religion and whoever does that is cursed with the curse of Allāh as He said, “Indeed, those who conceal what We sent down of clear proofs and guidance after We made it clear for the people in the Scripture - those are cursed by Allāh and cursed by those who curse.” [Al-Baqarah: 159]

And this is not assumed of the companions, and also not when Allāh assured preserving the religion, there is nothing more unpreserved then roaming in doubt assuming that the companions abandoning narrations means they had something from the Prophet ﷺ not known what.

A person can memorize a Ḥadīth then forget it till he gives fatwā with its opposite and this even happens with verses let alone Ḥadīth like when ʿUmar forgot verse twenty of al-Nisāʾ about the mahr of women.

And everyone knows that the Companions were gathered around the Messenger of Allāh ﷺ in al-Madīnah. They had livelihoods which they sought, and they were in severe hardship and scarcity of food this has been explicitly mentioned and that hunger drove the Prophet ﷺ, Abū Bakr, and ʿUmar out of their homes.

Among them were those who worked in the markets and those who tended to their palm trees, and whenever any of them found the slightest free time from their occupations, a group would be present with the Messenger of Allāh ﷺ. This is something no one can deny.

Abū Hurayrah mentioned this, saying, "Indeed, my brothers among the Muhājirīn were occupied with trading in the markets, and my brothers among the Anṣār were occupied with tending to their date palms. But I was a poor man who accompanied the Messenger of Allāh ﷺ just to fill my stomach."[193]

ʿUmar acknowledged this and said: "I missed such narrations from the Messenger of Allāh ﷺ because trading in the markets distracted me[194].

And when the Prophet ﷺ would be asked about an issue and rule a ruling and order a thing and do a thing, those present would be aware of it and those absent it would be unknown by them.

When the Prophet ﷺ passed away and Abū Bakr became khalīfah, the Companions dispersed for jihād, some went to fight Mūsaylimah, others against the ahl al-riddah, and others to al-Shām and al-ʿIrāq. Some of them, and some remained in al-Madīnah with Abū Bakr.

Whenever a case was brought before him for which he had no direct narration from the Prophet ﷺ, he would ask those present among the Companions about it. If they had knowledge of a narration from the Prophet ﷺ, he would return to it, otherwise, he would do ijtihād giving a ruling there is not upon him except that.

When ʿUmar became caliph, the cities were conquered and the Companions became even more dispersed across various lands. So when a judicial case arose, whether in al-Madīnah or in another city, if the Companions present there had a narration from the Messenger of Allāh ﷺ concerning it, they ruled according to that narration;

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[193] Ṣaḥīḥ al-Bukhārī 118

[194] Ṣaḥīḥ al-Bukhārī 7353

otherwise, the governor or judge of that city would perform ijtihād in that matter.

It could also happen that a ruling from the Prophet ﷺ existed concerning that very case, but it was known to a Companion in another land. The Madinan might have witnessed what the Egyptian did not, the Egyptian what the Shāmī did not, the Shāmī what the Baṣrī did not, the Baṣrī what the Kūfī did not, and the Kūfī what the Madinan did not.

All of this is evident in the narrations and necessity knowledge, as we have mentioned earlier that some of them were absent from the Prophet's gatherings at times while others were present, and then those who had been present one day might be absent another, while others attended. So each of them knew what he had witnessed and missed what he had not and this is known to the sources of the ʿaql.

Two narrations can reach a person for whom their apparent are a contradiction then he inclines to one of the two with a method of tarjih, then others can incline towards the narration this person left for his manner of tarjihat, or otherwise make a taʿwīl. So upon these manners narrations are left. So they are ten:

That the narration did not reach the scholar, so he gave a fatwā based on another text that did reach him.

That he assumes that the narrator of the narration did not preserve it correctly and that he made a mistake.

That he believes the text is abrogated (Mansūkh).

That he gives preference to one text over another because he considers it more precautionary (iḥtiyāṭ).

That he gives precedence one text over another because more people acted upon it, or because those who did are of high standing.

That he gives precedence to a weak text over an authentic one, unaware of the weakness of the one he gave precedence to.

That he restricts a general text (ʿāmm) based on his own assumption.

That he applies a general text which must not be applied generally, and leaves aside one whose specification (takhsīṣ) has been established.

That he makes taʿwīl of a narration opposing its apparent meaning without proof, merely due to a personal assumption or out of precaution for a supposed cause without evidence.

That he abandons an authentic text because of a Companion's opinion that reached him, assuming that the Companion only left that text because he had knowledge.

These are the conjectures which cause the disagreements that Allāh had decreed in His knowledge would occur.

All of these are the case for the companions and the tābiʿīn making them all equal in knowledge about it.

If it is said, "Ibn masʿūd would be asked about something then leave it till he would be in Madīnah."

So what? There is no meaning to this mere action, it is not from the Prophet ﷺ and he only did this with two issues and in one of them Zayd ibn Thābit who is a Madanī followed the previous saying of ibn Masʿūd before he reached Madīnah and with the second he retracted his view.

The narration in which ibn ʿAbbās said to the people of Madīnah to teach the people of Baṣrah because, "They do not know."[195]

This is a weak narration as Sahl ibn Yūsuf is weak and al-Ḥasan did not hear from ibn ʿAbbās.

As for the claim that ahl al-madīnah witnessed the final actions of the Prophet ﷺ .

The Companions were all residents of al-Madīnah throughout the lifetime of the Messenger of Allāh ﷺ and the caliphate of Abū Bakr. They only settled in Syria, Baṣrah, and Kūfah at the beginning of ʿUmar's caliphate and after it. This is because Syria and Egypt were in the hands of the Romans, and ʿIrāq where Kūfah and Baṣrah were later

[195] Sunan Abī Dāwud 1622

built in was in the hands of the Persians. None of those regions had been conquered or inhabited by Muslims until sometime after the beginning of ʿUmar's caliphate.

This is a matter not unknown to anyone with even the slightest share of knowledge. Every Companion who was later in ʿIrāq, Syria, or Egypt had remained residing in al-Madīnah throughout the life of the Messenger of Allāh ﷺ. None of them was ever separated from the Messenger of Allāh ﷺ while others remained behind in al-Madīnah without him.

So the falsehood of those who tried to deceive with the claim we mentioned is invalidated and all praise is due to Allāh.

It is necessarily known that those Companions who remained in al-Madīnah after the Prophet's ﷺ death are not more deserving of good assumption regarding their steadfastness upon what they witnessed from the Prophet ﷺ than the rest of the Companions who were in the other regions. Nor were they more knowledgeable than them. Rather, all of them are deserving of the truth, characterized by knowledge, religion, and sincere counsel for the Muslims.

As for their claim that Madīnah is the greatest land on earth this is a false lie Makkah is and I clarified all those narrations in my book about Ḥajj in the last chapter.

There were at Madīnah munafiqūn who are the worst of creation as Allāh said, "And among those around you of the bedouins are hypocrites, and [also] from the people of Madīnah. They have persisted in hypocrisy. You, [O Muḥammad], do not know them, [but] We know them. We will punish them twice [in this world]; then they will be returned to a great punishment." [Al-Tawbah: 101]

And Allāh said, "Indeed, the hypocrites will be in the lowest depths of the Fire - and never will you find for them a helper." [Al-Nisāʾ: 145]

There were sinners there just as in other lands and zunāt and liars and those consuming khamr and making qadhf.

If they say, “No we only mean the righteous people of Madīnah.”

Say: From where do you get this specification of the righteous people in Madīnah without other lands, there is never any way for any decisive evidence for the validity of this.

The virtue of Madīnah remains no matter how bad the state of the people become. The righteous is righteous no matter where and the fāsiq is a fāsiq no matter where.

As for their saying that ahl al-madīnah are most knowledgeable of the rulings than others then it is a false lie, the haqq is only that the companions knew his rulings whether they remained in Madīnah or left it, the one remaining in Madīnah did not in increase his vurtue or knowledge and the one leaving Madīnah did not decrease his knowledge or his virtue.

As for the claim that know what is abrogated from what is not then this is a lie those companions that left Madīnah witnessed what the residents also witnessed such as ʿAlī, ibn Masʿūd. Anas and others.

As for their claim, “It is impossible for the ruling of the prophet ﷺ to be unknown by most of ahl al-madīnah while they remain in it and for the fewer to know it while they exit Madīnah.”

No it is possible for the ruling of the Prophet ﷺ to be unknown by groups of companions while only one knows it. And it is possible for the few that witnessed the ruling of the Prophet ﷺ to leave Madīnah. Then how when the companions only dispersed in the lands after the passing of the prophet ﷺ .

Everyone knows that the Prophet ﷺ did not address everyone at once.

And their claims of ijmāʾ of ahl al-madīnah is either something that was known by those outside al-Madīnah among the Companions, or they were ignorant of it;

Or that it was taught by someone who knew it among the people of al-Madīnah who taught it to the remaining of the people;

Or they concealed it.

If those outside al-Madīnah among the Companions knew it, or if it was taught by someone who knew it among those who remained in al-Madīnah who taught it to the rest of the people, then necessarily the people of al-Madīnah and others are equal in knowledge of it.

And if someone who remained in al-Madīnah concealed it from the rest of the people of the lands, this is impossible and inconceivable; for every secret that passes between two is widespread then how about something all the people of al-Madīnah know, as they claim? And even if it would be established that they did, "Indeed, those who conceal what We have revealed of clear proofs and guidance after We have made it clear to the people in the Book — Allāh curses them; He curses the cursed." [al-Baqarah: 159]

And Allāh protected them from this.

And it is also said to them: Inform us, did the Messenger of Allāh ﷺ limit the conveying of the rulings of the religion, or part of them, or even one ruling to those residing in al-Madīnah from among the Companions whom Allāh knew would leave al-Madīnah?

If they say, "Yes," they have disbelieved and lied; as they have assigned the concealment of something of the religion from those who are obliged to know it, just as they would for others, and they have resorted to the statements of the rawāfiḍ.

And if they say, "No," it is established that the sunan are the explanation of the religion outside of al-Madīnah, just as they are in al-Madīnah, necessarily, and there is no difference.

And indeed, those of the Companions who remained in al-Madīnah were striving in jihad and performing Ḥajj; and those who left al-Madīnah among them would come as pilgrims to ʿUmar and ʿUthmān. So interaction between them is established.

And in this way the narrations are authentic of the tābiʿīn from the rest of the lands from the people of al-Madīnah, ʿAlqamah and Masrūq accompanied ʿUmar, ʿUthmān, and ʿĀ'ishah, Umm al-Muʾminīn. Likewise, ʿAṭāʾ accompanied ʿĀ'ishah, Umm al-Muʾminīn. Al-Shaʿbī and Ibn Sīrīn accompanied Ibn ʿUmar. Qatāda

accompanied ibn al-Mūsayyib also transmitted. Al-Zuhrī took from Anas. Mālik took from Ayyūb and Ḥamīd al-Makkī. ʿUbaydullāh ibn ʿUmar took from Thābit al-Bunnānī. ʿUbaydullāh ibn ʿAbdullāh ibn ʿUtbah took from Ibn ʿAbbās.

So interaction between all different lands with ahl al-madīnah is established so they are equal in all of it then how when they only left Madīnah not to reside in other places except after the time of Umar?

We say to them: Did ʿUmar and ʿUthmān deliberately fail to send someone to teach the people of al-Baṣrah, al-Kūfah, al-Shām, and Miṣr their religion and its rulings? Or did they neglect and abandon it, while their officials traveled to these lands and the delegations of these regions would come to them every year? Or did they not leave it but rather taught them everything that was necessary to know of the religion? And there is no other option.

If they say: They deliberately concealed the religion from them, or neglected it, they have openly lied, and attributed to the two virtuous caliphs what Allāh has purified them from, which is among the gravest injustice and the severest sin; indeed, it is a departure from Islām.

And if they say: They did not leave it, but taught them all that is necessary to know and act upon of the religion.

We say: You have spoken the truth. And it is thereby established that the people of al-Madīnah and others are equal in knowledge, understanding, and justice; and the falsity of their claim regarding the ijmāʿ of the people of al-Madīnah is made manifest.

Jihād does not busy a person away from teaching the religion. And also as for their saying that most companions were at Madīnah and only very few among them left Madīnah and that the Sunan cannot be unknown by the majority.

This is false because narrations have only come from about 1300 companions and most of them are from other than ahl al-madīnah and fatwā has come from about 130 only and most of them are from other than ahl al-madīnah.

Iḥtiyāṭ, Sadd al-Dharīʿah

A group of people prohibit whatever leads to a sin. They mention the saying of the prophet ﷺ, "The ḥalāl is clear, and the ḥarām is clear, and between them are ambiguous matters [shubuhāt] that many people do not know. Whoever avoids the ambiguous matters has cleared his religion and honor, and whoever falls into the ambiguous matters falls into the ḥarām, like a shepherd who grazes near a protected area and is about to enter it. And for every owner, there is a protected area, and the protected area of Allāh is His prohibitions."[196]

And the Prophet ﷺ said, "The ḥalāl is clear, and the ḥarām is clear, and between them are ambiguous matters [mushtabah]. Whoever leaves what is ambiguous to him [shubuhāt] in sin is more assured in what is clear, and whoever dares to what he is unsure about in sin is close to falling into what is clear, and sins are the protected area of Allāh; whoever grazes around the protected area is close to entering it."[197]

And the Prophet ﷺ said, "Indeed, the ḥalāl is clear, and the ḥarām is clear, and between that are ambiguous matters [mushtabahāt]. I will give you an example in this regard: Allāh, the Exalted, mentioned the protected area, and indeed, the protected area of Allāh is what He has prohibited, and whoever grazes around the protected area is close to entering it, and whoever mingles with suspicion is close to daring [to act]."[198]

There is no order in these narrations there is only in these an encouragement of the Prophet ﷺ towards piety, and it is clear evidence that what is around the protected area is not part of the protected area, and that these ambiguous matters are not certainly from the ḥarām. And if they are not among from the ḥarām, they are from the ḥalāl.

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[196] Ṣaḥīḥ Muslim 1599, 107

[197] Ṣaḥīḥ al-Bukhārī 2051

[198] Sunan an-Nasāʿī 4453

Allāh said, “He has explained to you what is forbidden to you” [Al-Anʿām:119].

So what is not clarified [declared ḥarām in the Qurʿān and Sunnah] then it is ḥalāl by Allāh’s saying, “It is He who created for you all that is in the earth.” [Al-Baqarah: 29]

And by the saying of the Prophet ﷺ, “The most grievous people in Islām are those who ask about something that has not been prohibited and then it was declared prohibited because of their question.”

And the Prophet ﷺ clarified in the narration that this is only recommended for a person in matters that are unclear to him, and that the ruling of one who has understood the matter is different from that. Likewise, the Messenger of Allāh ﷺ clarified in the narration with clear clarification, that the danger for one who engages in ambiguous matters is only if dares afterward to the ḥarām.

So it is confirmed by this bayān that the meaning of the narration that mentions “falls into the ḥarām,” is only a different meaning and that is every action that leads its doer to certainty that he has engaged in ḥarām acts, in that state. This is similar to two waters, each of which is doubted about its purity and one of them is impure by certainty without knowing which one, so if he performs wuḍūʾ with both of them, we are certain that if he prays, he prays while carrying impurity, and this is something that is not permissible.

This is not the case if he was merely unsure about both, then it does not apply whatsoever. Likewise, the same applies to two garments, one of which is impure with certainty without knowing which, and all the other words we mentioned (about it being recommended) are about matters in which there is no certainty about their prohibition or permissibility. As for what has certainty about it being ḥalāl, then having doubt does not remove that state. And the wording in the narration, “Is close to,” is an addition to what Zakariyyā narrated, and the ziyādah of the ʿadl must be accepted; then how when this wording and its meaning came from one who is more authoritative

than Zakariyyā, and they are Ibn ʿAwn and Abū Furwah. So in this manner the narrations and their paths are combined, and the statements of all narrators can be validly used. And may Allāh grant us success.

If they cling to the saying of the Prophet ﷺ , "A servant does not reach the level of the righteous until he leaves what is not harmful, out of fear of that which is harmful."[199]

This is weak as Abdullah ibn Yazīd al-Dimashqī he is majhūl al-ayn and the Ḥadīth has not come except through him and his narrations through Abū ʿAqīl are munkarah. Then if it would be authentic this narration only recommends does not oblige.

If they mention the Ḥadīth in which the Prophet ﷺ said, "Virtue is good character, and sin is that which troubles your heart and which you dislike that people should become aware of."[200]

This is weak as Muʿāwiyah ibn Ṣāliḥ is weak. It has come through another ṭarīq[201].

This is weak as Yahya ibn Jabir is not a thiqah, the tawthiq of Duḥaym does not exist. And if they mention what is narrated about the Prophet ﷺ, "Righteousness is what the soul feels tranquil with, and sin is what causes hesitation within the soul and wavers in the chest, even if people give you fatwa."[202]

This is weak because of al-Zubayr Abū ʿAbd al-Salām he is Majhūl al-ʿAyn. And Ayyub ibn Abdullah ibn Mikraz is also not a thiqah. And Muḥammad ibn Ismāʿīl ibn Ayyash al-Ḥimṣī is also not a thiqah. And Ismāʿīl ibn ʿAyyāsh is weak.

The nafs can never be what decides what is prohibited and what is allowed this is impossible the nafs of everyone differs and Allāh said, "If it would have been from other than Allāh they would have find in it many differences." [Al-Nisāʾ: 82]

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[199] Sunan al-Tirmidhī 2451

[200] Ṣaḥīḥ Muslim 2553

[201] Musnad Aḥmad 17632

[202] Musnad Aḥmad 18006

If they mention the verse, “Do not say ‘rāʿina’ and say ‘unẓurna.’” [2:103]

And they say, “They were only prohibited from that word so that they do that it does not lead to insulting the Prophet ﷺ.”

This is not a ḥujjah because there is not in any text that they were prohibited from that for that reason.

And if they mention the narration attributed to the Prophet ﷺ, “Every ambiguous matter is ḥarām, and there is no ambiguity in the religion.”[203]

This is weak as Ismāʿīl ibn ʿAbdullah Abī Uways al-Madanī he is weak and Ḥusayn ibn ʿAbdullah ibn Ḍamirah is also weak. It is instead authentically narrated that bedouins would come to him with slaughtered animals not knowing if Allāhs name was mentioned on it or not then he ﷺ said, “mention the name of Allāh and eat.”[204]

So iḥtiyāṭ/sadd al-dharāʾiʿ are mere doubts do not oblige any rulings.

[203] Musnad Al-Shihāb 208

[204] Sunan Abī Dāwud 2829

Istiḥsān

Istiḥsān is ruling with desires and this is false in the religion of Allāh If they mention the verse, “Who listen to speech and follow the best of it. Those are the ones Allāh has guided.” [Al-Zumar: 18]

This is not a ḥujjah because following the best is only what is in the Qurʿān and the words of the Prophet ﷺ.

This is what Allāh clarified when he said, “When you differ in anything return it to Allāh and the Messenger if you believe in Allāh.” [4:58]

And they mention a narration, “Whatever the Muslims see as good, that is good with Allāh.”

This narration does not exist musnad to the Prophet ﷺ at all.

Allāh said, “But those who wrong follow their [own] desires without knowledge.” [Al-Rūm: 29]

And Allāh said, “And who is more astray than one who follows his desire without guidance from Allāh.” [Al-Qaṣaṣ: 50]

There is nothing good except in what Allāh and his Messenger ordered and allowed and there is nothing evil and there is nothing repugnant except if Allāh and his Messenger prohibit it.

What is meant with Istinbāṭ is extracting ruling from the ruling which is the opposite of that ruling.

And it is astonishing that they argue for its validity by citing Allāh’s words, “But if they had referred it to the Messenger or to those of authority among them, then the ones who can draw correct conclusions from them [do istinbāṭ] would have known it, except for a few” [An-Nisāʾ: 83]

This verse without a doubt, invalidates istinbāṭ, because the word, ‘if [law],’ in Arabic the language in which the Qurʿān was revealed is a particle indicating the impossibility [imtināʾ] of something because of the imtināʾ of another thing. Allāh, the Exalted, explicitly stated that if they had referred the matter to the Messenger and those who possess knowledge of the Sunan of the Prophet ﷺ that

they would have known the truth. If they do not refer it back but rely on their own istinbāṭ and because of that they did not come to know the truth. This is something clear, and it is not permissible to understand this verse in any way other than what we have clarified. There is no greater ḥujjah against istinbāṭ than this verse, if they were just with themselves [the verse they themselves use as evidence for it is the greatest evidence against them].

Some of them have said that the pronoun, "From them," from His saying, "The ones who can draw istinbāṭ from them" [An-Nisāʾ: 83], refers to the Messenger and to ulū al-amr. And not to the pronoun in, "But if they had referred it." This does not take the out the verse invalidating istinbāṭ which they are seeking to save. If it would be as they claim, then the meaning of the verse would be, "If they had referred it to the Messenger and those in authority, those who do istinbāṭ of it would know [meaning they do istikhrāj of its knowledge from the Messenger ﷺ and ulū al-amr]."

This is our stance, not theirs, because every saying taken from the Prophet ﷺ and from real ijmāʿ is without doubt the truth. What is rejected is their attempt to extract from the Prophet's ﷺ speech and the ijmāʿ of the ummah meanings that are not understood from what is heard of those words [the apparent], and also not what its meaning necessitates in the Arabic language. This is what they attempted and we oppose them in that, not in that what is taken from the Prophet ﷺ or the aʿimmah that transmit the ruling from the Prophet ﷺ.

Ibn ʿAbbās narrated, "ʿUmar said: 'O Messenger of Allāh, what troubles you regarding the matter of women? If you have divorced them, then Allāh is with you, His angels, Gabriel, Michael, Abū Bakr, and the believers are with you. I have rarely spoken a word for which I did not hope that Allāh would affirm it.' And the verse was revealed, the verse of choice, 'And if you support each other against him, then indeed Allāh is his protector, and Gabriel and the righteous believers, and the angels after that are supporters. It may be that his Lord, if he divorces you, will give him better wives than you submissive, faithful,

obedient, repentant, worshipful, fasting previously married and virgins' [At-Taḥrīm: 4-5]. ʿUmar said, 'I stood at the door of the mosque and called out in a loud voice, 'The Messenger of Allāh ﷺ has not divorced his wives.' And the verse was revealed. 'And when there comes to them information about security or fear, they spread it, but if they had referred it to the Messenger or to those of authority among them, then those who derive it would have known it.' [An-Nisāʾ: 83]. ʿUmar said, 'I was the one who deduced this matter and Allāh revealed the verse of choice.'"[205]

We have clarified before that such narrations can never be a ḥujjah because their sayings did not become valid by themselves but only depended on the revealment of the revelation, the decision of the Prophet ﷺ, whoever says otherwise leaves Islām. Then how when the verse about takhyīr came down that day it opposed the raʿī of Umar there is no in what Umar did mention of takhyīr to them and no indication.

And this wording is only narrated from this ṭarīq, and that is not free from ʿIkrimah Ibn ʿAmmār, who is munkar ul- ḥadīth. We have narrated from his ṭarīq a fabricated, false narration with this same isnād from ʿIkrimah Ibm ʿAmmār —» Simak Abū Zumail —» Ibn ʿAbbās. There is no doubt in this—there is no one in the chain accused except him. As for that false narration it is mentioned in it that after Abū Sufyān Ibn Ḥarb became Muslim, the Muslims avoided him, and that he asked the Prophet ﷺ to marry his daughter Umm Ḥabībah, to appoint his son Muʿāwiyah as a scribe, and to use him in service.

This is pure falsehood. The Prophet's ﷺ marriage to Umm Ḥabībah took place when she was in Abyssinia as a muhājirah, and Abū Sufyān was still in Mecca long before the conquest. Abū Sufyān did not become Muslim until the night of the conquest of Mecca. And because the correct authentic narration from the Prophet ﷺ is his saying, "We do not employ in our work anyone who desires it."[206]

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[205] Ṣaḥīḥ Muslim 1449, 1479

[206] Sunan Ibn Mājah 706

We have narrated this from Abū Mūsā Al-Ashʿarī, so the lie of ʿIkrimah Ibn ʿAmmār's narration is certain and without any doubt. This narration does not cease to be of two options: either ʿIkrimah Ibn ʿAmmār fabricated it, or he took it from a liar who fabricated it, and then he made tadlīs of it to Abū Zumail. Both of these cases invalidate his ʿadālah and nullify his narration.

Raʿī

They mention the verse, “And consult them in the matter and when you have decided then rely upon Allāh.” [3:159]

And the verse, “And whose affair is [determined by] consultation among themselves.” [42:38]

And from the authentic narration about the consultation of the Prophet ﷺ with the Muslims regarding what they would do for the time of prayer before the call to prayer [adhān] was revealed. Some of them said fire, some said a horn, and some said a bell[207].

This is not a Ḥujjah because whatever the Prophet ﷺ consulted them in and then decided it, if it is about obliging, allowing or prohibiting after the matter was not one of these three, then in each of these cases it depends on the Prophet ﷺ which is the revelation of Allāh, it is never decided by anything else.

Allah said, “Follow, [O mankind], what has been revealed to you from your Lord and do not follow other than Him any allies. Little do you remember.” [7:3]

And Allah said, “Say: ‘Have you seen what Allāh has sent down to you of provision of which you have made [some] lawful and [some] unlawful?’ Say: ‘Has Allāh permitted you [to do so], or do you invent [something] about Allāh?’” [10:59]

And Allah said, “And do not say about what your tongues assert of untruth, ‘This is lawful and this is unlawful,’ to invent falsehood about Allāh. Indeed, those who invent falsehood about Allāh will not succeed.” [16:116]

And they argue with the narration of Al-Zuhrī and he mentioned the narration of the consultation of the Prophet ﷺ with his companions regarding fighting on the day of Ḥudaybiyyah. Al-Zuhrī

[207] Ṣaḥīḥ Muslim 377

said that Abū Hurairah said, “I have never seen anyone consult his companions more than the Messenger of Allāh.”[208]

And this is weak as it is mursal.

And it is narrated that Abd al-Raḥmān Ibn Abī Ḥusayn said, “The Messenger of Allāh ﷺ was asked about prudence, and he said, ‘Consult a man of raʿī, then proceed with what he advises you.’”[209]

And this narration is weak as it is mursal.

And they argue by what ʿĪsā Al-Wāsiṭī said, “No servant was ever wretched due to consultation, nor was any servant ever happy by relying on his own raʿī.”[210]

This narration is weak as it is Muʿḍal and ʿĪsā Al-Wāsiṭī is majhūl. And ʿAbd al-ʿAzīz ibn Muḥammad al-Darāwardī is weak.

ʿAmr Ibn Al-ʿĀṣ narrated, “Two disputants came to the Messenger of Allāh ﷺ disputing, and he ﷺ said to me, ‘O ʿAmr, judge between them.’ I said, ‘You are more worthy of this than me, O Prophet of Allāh.’ He said, ‘Even if that is the case.’ I said, ‘On what basis should I judge?’ He said, ‘If you judge correctly between them, you will have ten good deeds, and if you strive and err, you will have one good deed.’”[211]

And this is weak as Faraj Ibn Faḍālah and Abū ʿUmar Ḥafṣ Ibn Sulaymān are weak.

This has also come from another ṭarīq[212].

This is weak as al-Ḥārith ibn Abī Usāmah is not a thiqah, Yaḥyā ibn Isḥāq al-silahini is not a thiqah. and ibn Lahīʿah is weak Salmah ibn Aksum is majhūl.

And it is narrated by the companions of Muʿādh, “The Messenger of Allāh ﷺ when he intended to send Muʿādh to Yemen, said, ‘How will you judge if a case is presented to you?’ He said, ‘I will

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[208] Al-Jāmiʿ by Ibn Wahb 288, 1/399

[209] Al-Jāmiʿ by Ibn Wahb 287, 1/399

[210] Al-Jāmiʿ by Ibn Wahb 291, 1/402

[211] Musnad Aḥmad 17858 4/205 | Al-Mustadrak by Al-Ḥākim 7004, 4/99

[212] Faḍāʿil al-Ṣaḥābah 4459

judge by the Book of Allāh, the Almighty.' He said, 'And if you do not find it in the Book of Allāh?' He said, 'Then by the Sunnah of the Messenger of Allāh ﷺ ' He said, 'And If you do not find it in the Sunnah of the Messenger of Allāh or in the Book of Allāh?' He said, 'I will strive with my own raʿī and will not fall short.' The Messenger of Allāh ﷺ then struck his chest and said, 'Praise be to Allāh who has guided the Messenger of Allāh to what pleases the Messenger of Allāh.'"[213]

This is weak as al-Ḥārith ibn ʿAmr is majhūl al-ʿayn, and the companions mentioned about Muʿādh are all majāhīl.

And it is Narrated by ʿAlī ibn Abī Ṭālib, "I said, O Messenger of Allāh there are new issues that occur to us where neither the Qurʾān has been revealed nor any Sunnah from you. He said, 'Gather the knowledgeable or the devout from the believers and make it a council [shūrā] among you, and do not judge based on one raʿī alone.'"[214]

This is weak as Sulaymān Ibn Bazīgh and Ibrāhīm Ibn Abī Al-Fayyāḍ are weak.

And what is narrated by Ibn Ghanm, "The Messenger of Allāh ﷺ when he went out to Banū Qurayẓa and al-Naḍīr, Abū Bakr and ʿUmar said to him, 'O Messenger of Allāh, the people are increased in their zeal for Islām when they see upon you a good attire of this world. So, look at the garment that Saʿd Ibn ʿUbādah gifted you and wear it, so that the polytheists may see today that you are dressed in a fine manner.' He said, 'I will do so, and by Allāh, if both of you agreed with me on a single matter, I would never disobey you in consultation [mushāwarah]. Verily, my Lord has set forth an example for me, and you two are likened to the angels, similar to Jibrīl and Mīkāʾīl. As for Ibn al-Khaṭṭāb [ʿUmar], his likeness among the angels is like that of Jibrīl, for Allāh has never destroyed a nation except through Jibrīl. His likeness among the prophets is like that of Nūḥ, who said, 'My Lord,

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[213] Sunan Abī Dāwūd 3592 | Sunan al-Tirmidhī 1327

[214] Gharāʿib Mālik 250, 1/67 | Al-Fiqh Wal-Mutafaqqih 519, 1/476 | Jāmiʾ Bayān al-ʿIlm 853

do not leave upon the earth from the disbelievers even a single dweller' [71:26]. And the likeness of Ibn Abī Quḥāfa [Abū Bakr] among the angels is like that of Mīkāʾīl, as he seeks forgiveness for those on earth. His likeness among the prophets is like that of Ibrāhīm, who said, 'My Lord, indeed they have led astray many among the people. So whoever follows me, then he is of me; but whoever disobeys me, indeed, You are Forgiving and Merciful' [14:36]. If both of you agreed with me on one matter, I would never disobey you in consultation. However, your situation in consultation is like that of Jibrīl, Mīkāʾīl, Nūḥ, and Ibrāhīm.'"[215]

This is weak as Abd Al-Ḥamīd Ibn Bahrām and Shahr Ibn Ḥawshab and are weak and it is mursal as ʿAbd al-Raḥmān ibn Ghanm is not a companion.

And they have also argued by saying, "Nuṣūṣ have come indicating the obligation to obey the people in authority from among us in general, and this then encompasses obedience to their raʿī."

This is false as from everything that preceded before that it is impossible that what they come with can be from the religion except if it is from the Qurʿānd and Sunnah and in this verse we clarified in the chapters about ijmāʾ entirely that this verse only indicates that they come with something about the Prophet ﷺ not anything other than that at all.

They have also said, "We have agreed on the obligation of appointing an imām when the imām dies, and there is no naṣṣ on a particular imām. So it is established that the imām is appointed by raʿī, and imāmah is from the foundations of the religion."

The Prophet ﷺ said, "Then the people who take as leaders de ignorant then they give fatwā with their raʿī then they will be misguided and mislead."[216]

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[215] Fawāʿid by Al-Khalʿī 501, 1/390-391 | Tārīkh Dimashq by Ibnʿ Asākir 44/59-61

[216] Ṣaḥīḥ Muslim 2673 | Sunan al-Tirmidhī 2652

The Prophet ﷺ said, “The extremists are ruined.”[217]

And if they mention the narration attributed to the Prophet ﷺ where he decided to grant property to ʿUyayna Ibn Ḥisn and Al-Ḥārith Ibn ʿAwf for the purpose of reconciliation. When questioned if it was his Raʿī or a revelation from Allāh, the Prophet ﷺ responded, “It is my Raʿī.”[218]

We say: Every single chain regarding this narration is weak, it is not free from ʿAbd Al-Raḥmān Ibn Rāfiʿ, he is majhūl. And ʿUqbah Ibn Sinān Al- Dharrāʾ is weak, he is not a ḍābiṭ.

If they mention the narration where the Prophet ﷺ ordered the commanders of an army, “When you invade the fortress and its people offer to surrender and want the matter referred to Allāh’s ruling, then do not allow this, for you do not know whether or it goes according the ruling of Allāh regarding them. But let them surrender and have the matter referred to your ruling and make a decision about them later on as you wish.”[219]

There is Naṣṣ in this Ḥadith that what they say is not from the Ḥukm of Allāh as the Prophet ﷺ said, there is only in this their ijtihād and that if it is wrong it is not from the hum of Allāh.

If they also bring up the narration where the Prophet ﷺ was with an army and encountered al-Hubbab Ibn al-Mundhir, who posed a question to the Prophet ﷺ receiving an answer. A=l-Hubbab then inquired whether it was a matter of Raʿī or a revelation from Allāh, to which the Prophet ﷺ replied, “It is my Raʿī.”[220]

The answer: This narration is false, the intermediate between Ibn Isḥāq and the men of Banū Salamah is unknown. Al-Ḥākim attempted to connect it[221], the chains are filled with majāhīl.

Al-Umawī also narrated it, but al-Kalbī is a liar.

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[217] Ṣaḥīḥ Muslim 2670 | Sunan Abī Dāwud 4608

[218] Al-Muʿjam Al-Kabīr 5409, 6/28

[219] Sunan Abī Dāwūd 2612

[220] Sīrah Ibn Hishām 1/620

[221] Al-Mustadrak ʿAlā Al-Ṣaḥīḥayn 5801, 5802, 3/482

Ibn Ḥajar attempted to connect it through the route of Ibn Isḥāq —» Yazīd Ibn Rummān —» ʿUrwah[222].

This is nothing as this route does not exist while it is weak, the narration is mursal, ʿUrwah never met ibn al-Mundhir.

Al-Bayhaqī also narrated this from another mursal route[223], which is disconnected not musnad. There does not exist a single other route for this narration, so it is weak and must be abandoned.

If they mention the narration that the Prophet ﷺ to Saʿd, "You have judged according to Allāh's order."[224]

This is from the same category mentioned before, whatever happened only became valid and part of the religion after revelation from Allah revealed to the Prophet ﷺ so everything only depends on the decision of the Prophet ﷺ and nothing of their sayings and actions determine anything.

[222] Al-Iṣābah 1/302

[223] Dalāʿil Al-Nubuwwah 3/31

[224] Ṣaḥīḥ Al-Bukhārī 3804

Taqlīd

In this chapter the reality is only about what the correct position is on how a person can obtain knowledge of what he is supposed to know from what Allāh and His Messenger ﷺ obliged the person. This is the exact place difference occurs so the topic must be addressed from this place and there is no there is no meaning whatsoever to delve into the meaning of this word ‘taqlīd.’

So is it sufficient for a person to merely ask another their view, or must he ask what the ruling of Allah and his Messenger is on the issue he is upon?

What is only correct is that the Prophet ﷺ has come with this religion for everyone and that they are obliged to follow what he has come with. So any person because of this is only obliged to know what the Prophet ﷺ obliged, so nothing is valid for anyone except to inquire what Allah and his Messenger ﷺ obliged him in that. Whenever a person does not seek it, he has abandoned seeking what Allah and his Messenger ﷺ obliged him in that issue, so it is never valid for anyone to ask for anything other than what Allah and his Messenger obliged in the matter.

And the people differ in knowledge, the most ignorant person will not understand the adillah so his obligation because of the reason Allah does not burden a person except what they are able is only to inquire about what Allah and his Messenger ﷺ obliged him and if the answer is given based on this, he must accept it and he is not obliged to ask further. And if the person understands more then he must seek the adillah otherwise he will not know if what he is following is what Allah and his Messenger ﷺ obliged him in the matter.

Taqlīd which they believe in is false because it necessitates that two contradictory sayings are the ḥaqq at the same time in the same issue.

And Allāh and his Messenger never obliged making taqlīd of their manner.

Whatever is narrated about the companions in this chapter is not a ḥujjah it is not from the Prophet ﷺ .

They object for their method by saying, “When meat is bought from the butcher you can take it from him without investigating whether he mentioned the name of Allah or not and when someone shows some signs of Islām he is believed to be a Muslim without having to investigate.”

This is false because the butcher is not investigated because of the reason of taqlīd but because the naṣṣ has ordered with believing them and no naṣṣ has prohibited tearing open the heart to know if they mean what they show from imān or not. And this is in any case not from the chapter of attributing rulings to the religion of Allāh. If a naṣṣ to believe the saying of someone in a certain case, this does not inherently imply the obligation of following what they utter in other matters, and also not what they claim is obligatory or prohibited about the religion.

And they say, “The blind can be guided to qiblah and the sailor can lead the one a ship to the qiblah.”

This is false because this is from the chapter of accepting khabar, not from the chapter of accepting rulings attributed to the religion without evidence, it is the same as clarified before.

The only meaning of taqlīd we prohibit is taking a saying of a person other than the Prophet ﷺ which Allāh has not ordered to be followed, without evidence that validates his saying, but because that person said it only.

The reason evidence is obligatory is because otherwise the person does not follow Allāh and his Messenger. Only the evidence is what enables him following Allāh and his Messenger, there is no doubt that what he is following without evidence is not the Messenger of Allāh, as the evidence is the Messenger of Allāh.

If they mention the Ḥadīth attributed to the Prophet ﷺ, "Verily Muʿādh has made a Sunnah for you so do it like that."[225]

This is weak because it is munqaṭiʾ because it is not known who the companions of ibn Abī Layla are and what is said about Muʿādh is only through his companions so it is disconnected as you can see.

And also we clarified that every single of such narrations never indicate anything they claim because in all of these everything only depends on the decision of the Prophet ﷺ before that it was false forever, till the Prophet ﷺ ordered doing something they did in a specific manner, this does not imply that their sayings are from the religion of Allāh independently whoever claims that is an infidel.

If they mention the verses in which Allāh praised the companions such as in 48:29, 48:18, 4:95, 9:100.

So they say, "So they are further away from mistakes and closer to the truth."

And if they mention the Ḥadīth, "Upon you is my Sunnah and the Sunnah of the rightly guided caliphs after me."

And the Ḥadith, "Follow the two after me Abū Bakr and Umar."

And they say, "The companions witnessed the revelation so they are most knowledgeable of it."

And they say, "The ruling of the companions are a ruling and their rulings must not be invalidated."

And they mention the verse, "Obey Allāh and the Messenger and those in authority among you." [4:59]

And if they mention the Ḥadith, "My companions are like stars, whichever you follow you are guided."

None of these are a ḥujjah for them.

The Prophet ﷺ said about Abū Bakr and ʿUmar who are the best men after the Prophet ﷺ that they are mistaken.

Ibn Abi Mulaika narrated, "The two righteous ones were on the verge of ruin: Abū Bakr and ʿUmar. They raised their voices in the

[225] Sunan Abī Dāwud 506

presence of the Prophet ﷺ when a delegation from Banī Tamīm came to him. One of them recommended Al-Aqrāʾ ibn Ḥābis, the brother of Bani Mujāshiʿ, while the other recommended another man. Abū Bakr said to ʿUmar: 'You intended nothing except to oppose me!' ʿUmar replied: 'I did not intend to oppose you.' Their voices became loud in that argument, so Allāh revealed: 'O you who believe! Do not raise your voices above the voice of the Prophet' (Qur'ān 49:2). Ibn al-Zubayr said, "After the revelation of this verse, ʿUmar used to speak so quietly that the Prophet ﷺ had to ask him to repeat what he said." However, Ibn al-Zubayr did not mention this regarding his (maternal) grandfather, meaning Abū Bakr[226].

Abū Hurayrah narrated that a man came to the Prophet ﷺ, he said "Last night I saw a dream,' and he mentioned the vision. Abū Bakr then interpreted it. The Prophet ﷺ said: 'You were correct in some of it and mistaken in some of it.' Abū Bakr said: 'I ask you by Allāh may my father be sacrificed for you tell me what I was mistaken about.' The Prophet ﷺ replied: 'Do not swear.'"[227]

So whoever is mistaken it is not allowed and not possible to take it as it is not from the religion at all.

And a praise and none of these narrations imply that the obligation following them and the validity of their saying.

And a praise and none of these narrations imply that revelation is revealed on them and it does not imply that they are infallible and it does not imply that their own sayings are from the religion of Allāh.

And they mention what is narrated about the Prophet ﷺ, "Were it not for your two differences about me I would not have opposed you."[228]

This is weak as Ḥabīb ibn Abī Ḥabīb al-Miṣrī and Shahr ibn Ḥawshab are weak.

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[226] Ṣaḥīḥ al-Bukhārī 4845

[227] Ṣaḥīḥ Muslim 2269

[228] Al-Awsaṭ of al-Ṭabarānī 7299 | Musnad Aḥmad 18023

And the Prophet ﷺ does not order with what is impossible, the rightly guided caliphs after him differed immensely, so there are only three possibilities for which is no fourth: either it is obligatory to take all of their differences which is impossible, or that everything they say is something permissible for us to take from all which is apostasy as it is making the religion dependent on our choices, or the third is to take what all of them agreed upon which is taking only what has come from Allāh and his Messenger ﷺ only and to take what they come with from the Messenger of Allāh ﷺ only.

And also the one that makes taqlīd of one of them invalidates by necessity the other saying and abandoned all other sayings and invalidated taqlīd while validating it for the one he makes taqlīd of and these is mere nonsense.

And the Prophet ﷺ ordering following the Sunan of the four rightly guided caliphs or them believing the prophet ﷺ ordered making taqlīd of the companions does not cease from two possibilities:

Either the Prophet ﷺ allowed them to make rulings other than his rulings which is apostasy, or he ﷺ ordered them to follow them in what they follow from the sunnah of the Prophet ﷺ, it is not possible to understand these narrations in any other way.

If they say, “We only follow them for issues for which no ruling exists from the Prophet ﷺ.”

We clarified many times that there does not exist anything except that it is ruled by Allāh and his Messenger and if there exists no naṣṣ on a matter it is allowed and it is not allowed to seek the ruling of anyone other than Allāh and his Mesenger ﷺ this will be clarified further in great detail in the chapters about qiyās.

And also the mentioned Sunnah the Prophet ﷺ ordered to follow, their Sunnah is only to follow the Messenger of Allāh ﷺ not anyone else and to seek the Sunan of the Prophet ﷺ.

Whoever obliges taqlīd of them let them make taqlīd of the hundreds mistakes they fell into. And those whom they make taqlīd of in an issue are in most cases opposed by others.

As for the verse, “And those in authority among you.” [4:58]

This is not an evidence for them, the clarification about the meaning of the verse preceded many times, there is no authority greater than those that bring what the Prophet ﷺ came with.

Allāh said in the same verse, “And if you disagree over anything, refer it to Allāh and the Messenger, if you should believe in Allāh and the Last Day. That is the best [way] and best in result.” [4:58]

And Allāh said, “Follow, [O mankind], what has been revealed to you from your Lord and do not follow other than Him any allies. Little do you remember.” [7:3]

We are only obliged to follow the revelation of Allāh and no revelation is revealed on them, nor are they infallible.

The obedience mentioned only means what they come with from the prophet ﷺ we clarified in the chapters about ijmāʾ that them claiming that otherwise there is no value in the mention that it must mean that which they come from themselves cannot indicate that as then Allāh would also not mention obedience to the messenger of Allāh, instead he mentioned it and meant that which the Prophet ﷺ comes with from the religion and those in authority . No revelation is revealed on them and it does not imply that they are infallible and it does not imply that their own sayings are from the religion of Allāh.

Allāh said, “If it had been from [any] other than Allāh, they would have found within it much contradiction.” [4:82]

There is no ikhtilāf greater than them obliging taqlīd of those whom they make taqlīd of so none of it is from the religion of Allāh

And Allāh said, “Do not differ.” [Al-Anfāl: 47]

How is it possible to allow taqlīd of people that are mistaken, or how is it allowed for a Muslim that fears Allāh to say about the saying of a companion, “This could not have been said by them from their raʿī,” while there are hundreds of mistakes that have been narrated from them from every aspect about the religion.

ʿĀʾishah said, “The Messenger of Allāh made an order then made it easy (with a concession). This reached some of his

Companions, and it was as if they disliked it and kept away from it. This reached him, so he ﷺ said: 'What is the matter with men to whom a matter was reached them about me in which I granted a concession, yet they dislike it and keep away from it?'"[229]

It is established with this Ḥadīth that there is no ḥujjah in the action of any of the companions, may Allāh be pleased with all of them, and also not in their sayings. Because those who disliked what the Prophet ﷺ did lost the good by that in their ijtihād and the Prophet ﷺ rejected that. So it is established that there is no ḥujjah except in what has come about him ﷺ only.

And if this is the case with the companions then how about anyone after them. And the companions would issue fatwā and err and then retract their false statement and return to the Qurʿān and Sunnah and this is the case with every single one of them.

So when the Messenger of Allāh ﷺ informs that his companions make mistakes in their affairs, how then is it permissible for a Muslim who believes in Allāh and the Last Day to say that he must follow them in what they have erred in, and how can he command adherence to them in statements from which they were forbidden to speak, and how can he make it obligatory to follow someone who has erred? No one attributes such a thing to the Prophet ﷺ except a sinner or an ignorant person; one of these two qualities must necessarily be ascribed to him.

In this, there is the destruction of religion and the obligation to follow falsehood, and the simultaneous forbidding and permitting of something; and this is beyond reason, and lying upon the Prophet ﷺ. Whoever lies upon him will enter the Fire; we seek refuge in Allāh the Almighty from that.

As for their saying, "The companions witnessed the revelation so they are most knowledgeable of it."

Everything we mentioned before invalidates this. And this necessitates that those who witnessed the companions knew their

[229] Ṣaḥīḥ Muslim 2356, 127, 128: Ṣaḥīḥ

sayings better and that those who witnessed them knows it better till the matter reaches us obliging taqlīd of us, this is the description of the religion of the Christians.

We ask the one that says this: What was the state of this one companion for whom no opposition is known before it became widespread, was it obliging to take it or was it not obligatory?

If they say, "It was not obliging," it implies that that ruling in the religion became obligatory after it was not obligatory and this is kufr and belying Allāh in his saying, "This day I have completed for you your religion." [5:47]

If they say it is obligatory before it became widespread they oblige the ruling because it widespread sand their false condition they made about it becoming widespread is false and this false saying necessitates that the religion of Allāh is based on anticipations, if it becomes widespread it is obligatory and if it does not become widespread it does not become obligatory and this is mere kufr and shirk.

We already invalidated this in the chapters about ijma; and we invalidated there entirely those that validate the saying of the majority merely because it is the majority.

Obliging following the majority necessitates counting everything and this is something none of them do. Nor do the narrations about Zayd being the best in obligations or that Muʿādh is most knowledgeable imply that his sayings inherently are correct about the topics there is only in it that he reached the Qurʿān and Sunnah often it does not imply the obligation to take from his own sayings whatsoever.

And by Allāh all these narrations are always directed towards the companions while they are the most abandoning of the companions. Because there is no doubt that it is impossible to take in consideration every single of their sayings as they are contradictory in thousands of issues.

And the companions being silent between each other we already mentioned before that it is either taqiyya, to avoid differences or a silence so that they can verify or for what Allāh wills.

The silence of no one is a ḥujjah except the silence of the Prophet ﷺ.

As for obedience to the imams that is only in them carrying out what is a right and an obligation, not in anything else and those are matters which Allāh and his Messenger ﷺ only already made obligatory, they cannot permit, prohibit or oblige anything whatsoever.

Some of them argue with accepting the saying of those that estimate value of the destroyed properties and testimonies on what is equal to the property.

This is only from the chapters of accepting witnesses and news not from the chapter of taqlīd because Allāh obliged us against the culprit with the like of what he has transgressed with. We do not take from this testimony that this property is equal in value to this thing as a ruling that the testimony prohibited or obliged but knowing taking it in a manner that we know him knowing of that commodity or of that wound so we accept his testimony in that against the oppressor.

We have been obliged with testimonies against rights and accepting it and ruling by it so everything we are ordered is not taqlīd.

If they mention the Ḥadīth, "My son was a laborer for this man and committed illegal sexual intercourse with his wife."[230]

And they say, "So the people gave fatwā while the Prophet ﷺ was alive."

This is the greatest ḥujjah for the falsehood of taqlīd because those that gave fatwā different in that issue while the Prophet ﷺ was alive some gave fatwā of rajm on the unmarried fornicator and others fatwā of lashing one hundred times and exile. That is a difference that occurred that obliges returning to the Messenger of Allāh ﷺ So the was

[230] Ṣaḥīḥ al-Bukhārī 7193, 7194

returned to him ﷺ then he ruled with the reality and invalidated the falsehood.

If they say, "The companions witnessed the reasons for the orders of him ﷺ and whatever came from that as pleasure from him and whatever came from that as anger. So it is obligatory to follow them as they know how these orders came."

The answer: The Prophet ﷺ only came sent to everyone till the day of judgment not to the companions only so every reason from anger or pleasure obliges a ruling that they have transmitted to us this is their obligation and Allāh preserved the religion so all of that is known in the Qurʿān and Sunnah and the Prophet ﷺ obliged it when he said, "Let the one that witnesses inform the one absent."[231]

They have transmitted what they witnessed from that as hiding anything from it is not possible as all of the religion is preserved. So all of this is known as well to us as it is known to them whoever says otherwise claims that some part of the religion is not preserved which is kufr.

Some said, "If two scholars differ one of them uses a Ḥadīth from the Prophet ﷺ or a verse and the other says something that opposes the Ḥadīth or the verse then it is obligatory to take from the one that opposes the Ḥadīth and the verse because we are ordered to renovate them and we know that this scholar if he on purpose opposes the Prophet ﷺ that he would be a kāfir or a fāsiq so he must have some knowing with him for leaving that Ḥadīth or verse."

This is false because if this would be true it would oblige fisq on the scholar and he would deserve the curse of Allāh because he hides knowledge he has from the Prophet ﷺ because of the saying of Allāh, "Indeed, those who conceal what We sent down of clear proofs and guidance after We made it clear for the people in the Scripture - those are cursed by Allāh and cursed by those who curse Except for those

[231] Ṣaḥīḥ al-Bukhārī 67

who repent and correct themselves and make evident [what they concealed." [2:159-160]

And if it would be as this person said then what this scholar has of what opposes the Ḥadīth is then part of the religion would be lost and not transmitted and this is false because everything of the revelation is preserved Allāh said, "We have revealed the revelation and we are its guardians." [Al-Ḥijr: 9]

We have said many times that in such case the Ḥadīth might not have reached the ʿĀlim or that he forgot it or that it reached him but he did not remember it at that moment when he opposed it, or he remembered but did taʿwīl, or assumed it to be specific or abrogated .

And they argue by that Abū Bakr wrote the muṣḥaf after it was not gathered and they mention the saying of Zayd ibn Thābit that he said that he lost a verse of Sūrah al-Tawbah and that he did not find it except with one person[232].

And they mention false lies that they would not affirm a verse except if two people testify.

All of this is false Abū Bakr gathered the muṣḥaf yes and that the clarification for that is that the Qurʿān was revealed upon the prophet ﷺ at different times so he could not before the passing of the prophet ﷺ write it such that it encompassed all so when he ﷺ died and the waḥī ended he wrote it.

As for Zayd ibn Thābit missing a verse that is not how ahl al-jahl assume it, its meaning is only that he did not find it written except with that man not that he did not know the verse this is exactly how it is narrated about Zayd ibn Thābit[233]

It is narrated that the Qurʿān is only as Allāh gathered it and Jibril recited it to the Prophet ﷺ in the year of his passing twice as it

[232] Ṣaḥīḥ al-Bukhārī 4701

[233] Ṣaḥīḥ al-Bukhārī 4702

was and that no one gathered it other than Allāh, the way it is now is the way it was then[234].

Some claim that the verse Zays missed was from Surah al-Tawba

This is false Sūrah Tawbah was recited and announced to everyone[235]. So everything from the Qurʿān the way it is and also the arrangement of the chapters are all from Allāh, not like how the ignorants assume that it only became the way it was after the death of the Prophet ﷺ.

They also mention the verse, "Ask ahl al-dhikr if you do not know." [16:43]

And the verse, "And let them warn their people once they return." [9:122]

So they say, "So it is obligatory to accept what they say."

This is false Allāh never obliged to accept whatever they say, this is impossible, so what is only possible is that Allāh ordered accepting whatever they bring from the religion of Allāh

And dhikr is revelation as Allāh said, "We have revealed the revelation (dhikr) and we are its guardians." [Al-Ḥijr: 9]

So they must only answer what they know about the issue which is in the revelation of Allāh only. No one whatsoever is allowed to legislate.

It is said to the muqallid what is the difference between you and another person that makes taqlīd of someone other than you make taqlīd of. If he begins to argue that the one he makes taqlīd of has more knowledge. Then he is asked was there someone before this person who is more knowledgeable or not? If he says no he belies the Prophet ﷺ that the companions are better. If he says, "There are better ones."

Say: Then the best of the best such as Umar left his own saying for the saying of a woman and retracted and Abū Bakr and Umar would

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[234] Ṣaḥīḥ Muslim 2450 | Musnad Aḥmad 26456 | Al-Mūsannaf of ibn Abī Shaybah 30288

[235] Al-Mujtaba of al-Nasāʾī 2958

consult others and like and all of them would make hundreds of mistakes. And the Prophet ﷺ said to the companions who are the best of the best, “The one who witnesses should convey to the absent, for the witness may happen to convey to someone who is more capable of understanding than himself.”[236]

Allāh said, “The example of those who take allies other than Allāh is like that of the spider who takes [i.e., constructs] a home. And indeed, the weakest of homes is the home of the spider, if they only knew.” [29:41]

There is no greater taking of allies (awliyāʾ) than the one that opposes Allāh and his Messenger for the saying of anyone other than him ﷺ.

And Allāh said, “Do you think that you will be left [as you are] while Allāh has not yet made evident those among you who strive [for His cause] and do not take other than Allāh, His Messenger and the believers as intimates (walījah)?” [9:16]

There is no walījah (inmate) greater than the one that makes a person above the words of Allāh and the words of the Prophet ﷺ.

And Allāh said, “The Day their faces will be turned about in the Fire, they will say: ‘How we wish we had obeyed Allāh and obeyed the Messenger.’ And they will say: ‘Our Lord, indeed we obeyed our masters and our dignitaries, and they led us astray from the [right] way.’” [Al-Aḥzāb: 66-67]

Allāh said, “Then produce your scripture, if you should be truthful.” [37:157]

And Allāh said, “Bring your decisive evidence if you are truthful.” [2:110]

So whoever does not come with the book and does not come with decisive evidence which is the Qurʿān and Sunnah is not truthful in what he claims but a liar and whoever obeys his masters leaving

[236] Ṣaḥīḥ al-Bukhārī 67

Allāh and his Messenger is misguided and deserves the punishment as in the naṣṣ.

And Allāh mentioned the saying of the jinn when they accepted Islām, “And we had thought that mankind and the jinn would never speak about Allāh a lie.” [72:5]

So it is then false to assume such about a leader whom taqlīd of is made.

And Allāh said, “When those who were followed, disown (declare themselves innocent of) those who followed (them), and they see the torment, then all their relations will be cut off from them.” [2:166]

And Allāh said, “And when it is said to them: ‘Follow what Allāh has revealed,’ they say: ‘Rather, we will follow that which we found our fathers doing.’ Even though their fathers understood nothing, nor were they guided?” [2:170]

And Allāh said, “And who is more astray than one who follows his desire without guidance from Allāh?” [28:50]

Allāh said, “The guidance of Allāh is the [only] guidance.” 2:120

So the saying of the muqallid that they can be guided through them is false.

Allāh said, “He only orders you to evil and immorality and to say about Allāh what you do not know.” [2:169]

Allāh said, “And when they commit an immorality, they say: ‘We found our fathers doing it, and Allāh has ordered us to do it.’” [7:28]

Allāh said, “Rather, they say: ‘Indeed, we found our fathers upon a religion, and we are in their footsteps [rightly] guided.’ And similarly, We did not send before you any warner into a city except that its affluent said: ‘Indeed, we found our fathers upon a religion, and we are, in their footsteps, following.’” [43:22-23]

Allāh said, “And when it is said to them: ‘Come to what Allāh has revealed and to the Messenger,’ they say: ‘Sufficient for us is that

upon which we found our fathers.' Even though their fathers knew nothing, nor were they guided?" [5:104]

These are nuṣūṣ about the exact description of their taqlīd. So let them fear Allāh and know that the promise of Allāh is the truth and let them repent from it. And the companions themselves admitted that they would not be aware of certain Sunan it not being with them truly astonishing is it regarding someone who chooses to accept the words of a person merely as they are, while they are not accompanied by any miracle from Allāh ﷻ, nor has any sign appeared upon them, nor has Allāh ﷻ testified to their infallibility from error or to their authority; and even more astonishing than that if they are from the Tābiʿīn, then what about those below them is regarding someone whose Islām is not known with certainty, nor does the hand of their follower have more than good opinion about them, and that in the apparent of their conduct they may seem superior among the virtuous of the Muslims, yet there is no certainty of their merit, nor is it testified for them over their peers in precedence; For them over others among people: 'This indeed is clear misguidance; so I wonder! What has obligated upon someone that they incline toward them, without inclining toward others who are similar in outward appearance and superior in it, or in reality from my predecessors, the Companions ﷺ until they have made themselves religiously bound to their word in their religion, which is their means with Allāh ﷻ, not hoping for salvation from the punishment of the Hereafter except through it? And we find them, poor in their worldly affairs, do not imitate anyone, nor does any one of them purchase anything for less than a dirham or above it, except that they inspect it, consider its quality, and guard against being wronged in it while they do not guard against being wronged in their religion, which contains their ruin or eternal salvation.

And some among them have said, "We have not been granted from intellect and understanding what enables us to derive jurisprudence from the Qurʾān and the ḥadīth of the Prophet ﷺ."

The answer: Has Allāh ﷻ prevented you from using the reasoning by which you understand what He has obligated you to comprehend, when He says: “Do they not then reflect upon the Qurʾān, or are there locks upon their hearts?” [Muḥammad: 25]

And you have heard Him ﷻ say, “O you who have believed, upon yourselves be your responsibility; no one will harm you if you go astray, provided you are rightly guided.” [al-Māʾidah: 107]

And you have heard Him ﷻ say, “No soul earns [evil] except against itself.” [al-Anʿām: 166]

And you have heard Him say, “Allāh does not burden any soul except according to its capacity.” [al-Baqarah: 286]

If it were not that within your capacity is the understanding of the rulings of the Qurʾān, He would not have ordered you to reflect upon it; and if it were not that within your capacity is the understanding of the words of the Prophet ﷺ, He would not have ordered him to explain them to you nor ordered you to obey him this, if you truly believe the words of your Lord.

How are your intellects are so limited in understanding what Allāh ﷻ has obligated you to contemplate and act upon, yet your intellects are vast enough to understand the words of al-Shāfiʿī, Mālik, and Abū Ḥanīfah, and whoever you make taqlīd of? Allāh ﷻ never ordered you to listen to them, nor did your Lord guarantee you assistance in understanding their words as He guaranteed you in understanding His words. He does not burden you except according to your capacity.

And we are certain that Allāh never ordered us in anything except that He has provided means to reach it, made it easy, and clarified it. So we are fully certain without doubt that the ways to know the rulings of the verses and ḥadīths He commanded us to accept are evident to whoever seeks them, if you believe your Lord ﷻ; and if you reject Him ﷻ, you have disbelieved.

As for what we are not ordered to follow from the opinions of Mālik and Abū Ḥanīfah and the statements of al-Shāfiʿī there is no way to claim with certainty that understanding it is within our capacity.

If it is said, "What does the ʿālim do if he is asked about an issue or a new issue occurs and he does not know."

We clarified the methods for ruling issues.

If it is said, "What does the ʿāmmī then do if a new issue occurs?"

We say: taqlīd is prohibited for the most ignorant person and also for the one higher in knowledge. Ijtihād which is seeking the ḥaqq is obligatory in every ruling which takes place for a person.

The truth is that no one is obliged except what they are able to because of the saying of Allāh, "Allāh does not burden a soul except what they are able." [2:285]

And Allāh said, "Have taqwa of Allāh as much as you are able." [Al-Taghābun: 16]

Taqwa is all acting in accordance to what Allāh obliged, And he did not oblige except what we are able to only Whatever anyone is unable to is not obligatory on him. This is clear naṣṣ that no one is obliged from searching what the religion has said about it except the amount he is able to only. Everyone has their share of ijtihād and the amount of their ability from it. So the ijtihād of the ʿāmmī is to ask about the matters of his religion the one that knows to say, "Is this how Allāh and his Messenger ﷺ ruled?" If he says yes then he accepts it and he is not obliged more research and search than that. If he says, "No," or says it is his saying or mentions that it is the saying of the majority or the saying of anyone else other than the Prophet ﷺ or remains silent then it is prohibited for the one to take what he says here and obligatory to ask another than knows.

If it is said, "What if the person follows what is abrogated and what is specified out?"

A person is obliged to follow whatever reaches them of the religion, ijithad is not attaining the ḥaqq it is only seeking the ḥaqq and

a person follows whatever reaches them from the religion in the manner of seeking mentioned before whatever is not done wrong from it not on purpose is rewardful and he is not a sinner and what he is mistaken in is not the haqq. So if a kāfir becomes Muslim then it is the exact sam.

As for when someone asks two and they give different answer then he continues the search for the haqq.

The Ḥadīth When the one giving a ruling does ijtihād applies to every single person that does ijtihād in general. Because everyone that believes a ruling in an issue is a ḥākim ruler for that. Seeking is not attaining. Someone can seek what he does not attain and attain what he did not seek. Whenever he seeks he is rewarded and if he attains then with this second act he gets two.

There is seeking that is ordered and seeking that is not ordered the seeking that is ordered is the Qurʿānd and Sunnah and their dalīl whoever seeks in these three has done the seeking that is ordered and is rewarded the reward of seeking. The seeking that is not ordered is qiyās, dalīl al-khiṭāb raʿī and Istiḥsān so there is no reward but since his intention was with that towards Allāhs without being wrong on purpose while he knows that it is wrong then he gets the reward of whoever sought intended a good thing as the Prophet ﷺ said, "Whoever intends a good deed and does not do it a good deed for him is written."

But as for the muqallid that is upon the correct ruling but by taqlīd he is disobedient to Allāh and there is no reward for him because he has done what Allāh has prohibited him.

There is no doubt that the wrong mujtahid is more rewardful than the muqallid that is correct because the wrong muqallid is sinful in his taqlīd and not rewarded for being upon the correct ruling as he reached it in a prohibited manner and the mujtahid that is wrong is rewarded for his ijtihād.

If someone says, "Then reject the shahada of every Muslim that does not know Islām with its evidence because he is a muqallid that is disobedient."

The one that follows who Allāh ordered to be followed is not a muqallid he is instead obedient. The Muqallid is only the one that follows who Allāh did not order to be followed.

But if he knows that this Muslim only believed in Islām because of taqlīd of his father or his neighbor and who he raised with and that if he would be among other than the Muslims he would not be a Muslim then his shahadah is invalid and he is not far from kufr the Prophet ﷺ said, "As for the hypocrite or the one who is doubtful—I do not know which of the two she said Asmāʾ said: he will say: "I do not know. I heard people saying something, so I said it."[237]

And the one that opposes the ḥaqq whether in ʿaqīdah or in fiqh, everything mentioned before is the same in these two, if the ḥujjah is established and they are stubborn they are sinners. And if they do not understand then they are excused. Allāh said, "Arguing with you concerning the truth after it had become clear." [8:6]

The one that obliges taqlīd on the ʿāmmī is false as clarified with the decisive evidences that taqlīd is prohibited for the ʿāmmī and ʿālim in general. And they contradict as the one saying this obliges on the ʿāmmī searching for the most knowledgeable person in his city. This is one type of ijtihād and none of them say that the ʿāmmī can make taqlīd of everyone.

[237] Ṣaḥīḥ al-Bukhārī 7287

Mafhūm

Mafhūm is of three types: faḥwa al-khiṭāb, laḥn al-khitāb and mafhūm al-mukhālafah which is dalīl al-khiṭāb, it will become clear what these are by the will of Allāh.

A group said, “If there is a naṣṣ with certain description, time, amount then it is obligatory to rule whatever is other than that description, time and amount in that naṣṣ with the opposite of the ruling of that naṣṣ. A ruling being connected to the what is mentioned is an evidence that whatever is other than must have its opposite ruling.”

This is the opposite of qiyās so it is to the rule the unruled with the opposite of what is ruled in the naṣṣ. What is only correct is that a naṣṣ inherently does not indicate that whatever is other than it must take its opposite ruling, it depends on another evidence. Every text only gives you what is in it not what is not in it, it does not indicate that whatever is other than it is equal to it and also not that it is the opposite, all of it depends on other evidence.

So mafhūm has categories: Among them is that from which it is understood that what lies outside the case we were addressed with has the same ruling as the case we were addressed with, this is faḥwā al-khiṭāb and laḥn al-khiṭāb, faḥwā al-khiṭāb which is when the unspoken case is more deserving of the ruling and laḥn al-khiṭāb is when the unspoken case is equal in meaning and effect.

Among them is that from which it is understood that what lies outside the case we were addressed with has a ruling contrary to the ruling of the case we were addressed with, and this is mafḥūm al-mukhālafah so the ruling for the unmentioned case is the opposite of the mentioned one.

For the first category they mention the verse, “So do not say to them ‘uff’ and do not repel them.” [17:23]

So they say, “So we understand from this that anything other than ‘uff’ is of the same degree as ‘uff.’”

And such as if someone would say, “Be cautious of the witr prayer,” they say, “He means with this also other prayers, because they are even more important so they are more likely to be meant with this speech.”

As for the second category they mention the saying of the Prophet ﷺ about Zakāh on grazing cattle, “For every 40 there is 1 obliging.”

So they say, “So this indicates inherently that there is no Zakāh on non-grazing cattle and only on cattle that graze.”

As for the last category they mention the verse, “And [He created] the horses, mules and donkeys for you to ride and [as] adornment.” [16:8]

So they say, “The mention of riding and adornment indicates that whatever is other than these two is prohibited with them such as eating and others.”

And they claim that this chapter enters what is understood in the language, this is a weak deception and a baseless implication; because in language, what is truly needed is its masters in knowing the collective letters from which words are derived, and in informing us only of what it is composed of, the designated words/terms. As for knowing whether it enters into the ruling concerning the predicate of a noun, whether this noun is said to be affected by it or not, that is not part of the strength of linguistic knowledge and also not one of its conditions. This is merely assumed by those whose sciences are mixed and who have not reached the capability to differentiate between them, and this matter exists in the nature of both Arabs and non-Arabs.

And as for this entire chapter, besides the verses mentioned there are dozens of verses and narrations about which they say the same and none of that is a ḥujjah for the validity of dalīl ul-khiṭāb none of it indicates its validity all of it are only patterns which they make a claim about which requires evidence for its validity and that does not exists they are mere claims.

This is not something understood in the ʿaql, nor in the language and no Qurʿān and sunnah indicates this exact manner of understanding, so it remains a false claim without evidence.

Allāh said, “And your Lord is never forgetful.” [Maryam: 64]

And they argue, “The people are unanimous that if someone says to another: ‘Do not give my servant a dirham until he performs such-and-such work,’ this implies that if he performs it, it becomes obligatory to give the dirham.”

This is false, the evidence for this is the consensus of the people that the one promised it can ask the one who gave the order, “When I perform that work, will I be given the dirham or not?” If the aforementioned statement implied that giving the dirham becomes obligatory by performing the work, then the inquiry by the one ordered would have no meaning.

And the Ummah is unanimous that if the one giving the order says to the ordered upon inquiry, “Do not give it to him until I find for you what to work with,” this is proper in speech and obligatory for the ordered.

The mentioned statement, however, only restricts giving the dirham before performing the work; it does not contain an obligation to give it after the work is completed, nor a prohibition against giving it. This is conditional upon an event that occurs, either by restriction or by giving.

If they mention the verse, “Fight those who do not believe in Allah nor in the Last Day, and do not forbid what Allah and His Messenger have forbidden, and do not follow the religion of truth among those who were given the Scripture, until they pay the jizya with their own hands while they are humbled.” [9:29]

If they say, “So does this then not indicate that giving them the jizya is a prohibition of fighting them?”

The answer: There is no prohibition in this verse of fighting them after they give the jizyah! The prohibition of that only comes

from other texts in which the Prophet ﷺ prohibited being unjust to the one with a covenant.

They also say, "If it is said: 'Do not give him a needle among the needles,' or: 'Do not give him a penny,' these mean not giving him anything even if the words do not indicate it."

The answer: No that would only be understood if it was said, "Do not give him anything, not even a penny," only in this manner that meaning is understood.

Every word that has come with a negation followed by an exception from that by the word 'illā' or the word 'ḥattā' it (the conclusion) does not apply except by the result of that. Such as the saying of the Messenger of Allāh ﷺ, "The prayer of one who has broken wind is not accepted until (ḥattā) he performs ablution,"[238] and likewise, "There is no prayer except (illā) with the umm al-Qurʾān,"[239] and likewise, "There is no amputation (of the hand) except for a quarter of a dīnār and above."[240]

This is what is understood from the address by the necessity. Because he negated the acceptance of prayer until ablution is performed, and its acceptance is obligatory after ablution by the verse, "O you who have believed, when you rise to [perform] prayer…" [Al-Māʾidah: 6]. And by the ḥadīth: "Whoever performs ablution as it is ordered."[241]

And he negated the prayer except with Umm al-Qurʾān, and affirmed it with Umm al-Qurʾān. Because there is no other option than that every prayer must either include Umm al-Qurʾān or not have it, and there is no third option by any means. And prayer is obligatory, so since prayer is obligatory, and there is no other option than either Umm al-Qurʾān or leaving it, then whoever does not recite it is not considered praying, and whoever recites it is considered to be praying.

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[238] Ṣaḥīḥ Muslim 225

[239] Ṣaḥīḥ Muslim 35

[240] Ṣaḥīḥ Bukhārī 6789

[241] Al-Mujtaba 144

And it is obligatory for every adult Muslim to pray as ordered, and it is then obligatory for him to recite Umm al-Qurʾān. This is a definitive certain and necessary evidence. And likewise the Prophet ﷺ negated cutting (the hand of a thief) in general in that narration, then he obligated it with an exception of a quarter dīnār and above. Except that if this would not be preceded by naṣṣ or ijmāʿ, we would not cut above four dīnārs except for gold only. But when Allāh said, "[As for] the thief, the male and the female, amputate their hands in recompense for what they committed." [Al-Māʾidah: 38]

And the Messenger of Allāh ﷺ said: "May Allāh curse the thief who steals an egg, so his hand is cut off, or steals a rope, so his hand is cut off."[242]

And the Ummah has agreed that the ḥadīth of the quarter dīnār does not indicate to invalidate cutting in anything other than gold. So we are obliged to act upon the generality of the verse, so only the thief who steals less than a quarter dīnār of gold is excluded. Whoever steals less than a quarter dīnār of gold, there is no cutting for him, and whoever steals anything other than gold, whether it is small or large, whatever has value, no matter how little, his hand is cut by the verse and the ḥadīth in which the Messenger of Allāh ﷺ cursed the thief. Whoever rejects this only seeks in saying that the statement of the Prophet ﷺ regarding the quarter dīnār only means anything above the value similar to the value of a quarter of a dīnār. This is a claim with no evidence, and anyone who thinks that the Prophet ﷺ overlooked something that this critic realized has made a grave mistake. Allāh said, "And your Lord is never forgetful." [Maryam: 64]

What could prevent the Messenger of Allāh ﷺ from saying, "There is no cutting except for the value of a quarter dīnār and above," thereby clarifying the matter for us, when his Lord, the Exalted, commanded him to clarify. What they have attributed to the Messenger of Allāh ﷺ that he intended the value and did not clarify it—is nothing

[242] Ṣaḥīḥ Bukhārī 6799

but deception, not clarification. Allāh the Exalted has protected us from that.

So the meaning of, "He has no īmān," means the absence of obedience. Likewise, if someone disobeys, they are not obedient, and if they are not obedient, they do not have īmān in that specific act. And we are not implied that if they do not have īmān in some instances, that they are infidels, nor does it mean they do not have īmān in all other cases. Instead, if someone disobeys, they do not have īmān in the matter they disobeyed, but have īmān in what they obeyed. If someone says, "This implies that you say he has no īmān and has īmān at the same time?"

We say: Yes, he has īmān in what he has īmān in and does not have īmān in what he has no īmān in. This is something known necessarily. We do not say that he is a muʿmin but also not a muʿmin as a generality. In the exact same manner our opponents are implied about the one who does good and bad deeds, there is no difference.

And if they say, "Someone who does good in one area and bad in another is a sinner in the area where they did wrong and obedient in the area where they did right, does it mean you must say they are both a sinner and obedient (muḥsin)?"

We say: Yes, we do not reject this if it is from two aspects are different, nor do we blame anyone for this.

As for those who say, "There is no ṣalāh for one who does not recite" and "There is no fasting for one who does not intend it at night." And if they say, "Its meaning is only that the prayer is not complete."

Then this is a claim without evidence. And, if their statement would be correct, it would be against them, not for them, because if the ṣalāh is not complete, it is only a partial ṣalāh. And a partial ṣalāh is not accepted if not completed, just as a partial fast of a day is not accepted until the day is completed. If they say, "It is a complete ṣalāh but that other ṣalāhs are more complete than it." This is deception, because when ṣalāh is completed with all its obligations, there is no ṣalāh more complete in the aspect of being a ṣalāh, while its recitation

or length might increase. Leaving such recitation does not harm, and ṣalāh is not called incomplete for not including it. Allāh ordered the completion of fasting and the establishment of ṣalāh. Whoever does not establish it or complete their fast has not prayed or fasted they did not do it as it is ordered. They only did what was not ordered, and the incomplete is not the same as the complete. The Prophet ﷺ said, "Whoever does an act that is not according to our order, it is rejected."

This principle applies not only to the establishment of ṣalāh and the completion of fasting but to everything brought by the Sharīʿah that was added at any time.

And what is understood of speech when an emphasis is mentioned, is that it removes ambiguity and prevents anyone from thinking that the words do not apply generally. A group has gone astray concerning Allāh's saying, "Then all the angels prostrated, every one of them." [Ṣād: 73]

Qiyās

Every single qiyās is false, and also every single qiyās of which its ʿillah is manṣūṣah, all of that is false.

The meaning of qiyās which no one differs with is that it is deducing a ruling for an issue that will either be a prohibition, obligation, or permissibility. This issue is one that is not explicitly addressed in the revelation of Allāh (Qurʿān and sunnah). Qiyās entails assigning a ruling to such an issue based on its similarity to another issue addressed in the Qurʿān and sunnah, with the new issue receiving the same ruling as the one it is compared to due to their resemblance. However, scholars differed on this matter; some claimed that the ruling being likened to must share the same underlying ʿillah (rationale) while others argued that similarity in any aspect suffices.

The pillars of qiyās according to those who believe in it are: aṣl, farʾ, ʿillah and ḥukm. A qiyās cannot be free from any of these pillars. Aṣl is the basis of the qiyās, it is from that which is from Qurʿān and sunnah. And farʾ is that which is likened to the aṣl, not to its ruling, it is that which is not from Qurʿān and sunnah. And ʿillah is the similarity between the aṣl and farʾ. And the ḥukm is the outcoming ruling of the farʾ.

The truth is that the clarification has preceded that rulings that are by their naṣṣ or dalīl in the manner clarified before, from the naṣṣ either encompass within their generality issues or they do not, if it does not encompass it, then it is not allowed to claim that whatever resembles the issue from the naṣṣ must take the ruling of that naṣṣ, this is attributing to the religion what is not part of it which is prohibited. And whatever the naṣṣ and dalīl to cover from their generality then that is merely the exact manner as it is understood from the language and it is not qiyās.

The Verse Regarding Iʿtibār

They mention the verse Allāh the Most Exalted says, “He is the One who expelled the disbelievers of the People of the Book from their homes at the time of the first gathering. You did not expect that they would leave, and they deemed that their fortresses would protect them from Allāh. But Allāh came to them from where they did not expect and cast fear in their hearts [so] they destroyed their houses by their [own] hands and the hands of the believers. So, take a lesson (faʾtabirū, take Iʿtibār), O people of vision. And if Allāh had not destined exile for them, He would have punished them in the world. And for them in the Hereafter is the torment of the Fire. That is because they were hostile to Allāh and His Messenger. And whoever has hostility with Allāh, then Allāh is severe in punishment.” [59:2]

So they say, “Iʿtibār means moving from something to something else, which also happens in qiyās which is moving a ruling from the aṣl to the farʾ, so we know then that we are ordered to use qiyās. And there is agreement from ahl ul-lughah that iʿtibār is a word that encompasses similarity of a thing with something else and applying the ruling of it to that the similarity. Taking caution and pondering is only also iʿtibār because what is intended with it is making the matter equal and applying the same ruling to what is similar to it, because otherwise no one has actually pondered and has not been cautious from the sin for what had occurred to the people of opposition who were punished, this is what is attributed to Thaʿlab. And some of ahl al-lughah have said regarding the verse of iʿtibār that faʾtabirū in the verse means to perform qiyās.”

The answer: This is false because we do not reject that the meaning of iʿtibār is qiyās only from the aspect that it is a comparison of two similar matters, because otherwise no ʿibrah can be taken, and this aspect alone has nothing to do with affirming the qiyās they are upon in this chapter. Iʿtibār to a situation means having examined a situation, deriving a valuable ʿibrah meaning a lesson or warning, from

it for another circumstance. When these two matters then become equal it becomes iʿtibār. So, when Allāh says, “So, take a lesson, O people of vision,” it is obliging to see the events, and then do what prevents such punishments from befalling you. Someone that does iʿtibār of death, means him reflecting on it and taking a lesson from it, Such as someone that does iʿtibār of an accident that happened to his neighbor. Or doing iʿtibār of what happened to the nations before and not oneself becoming the ʿibrah for the nations to come after you. So it is only tafakkur and taʿajjub, meaning reflecting in order to stay away from sin and to return to obedience, not at all related to making rulings oneself, Allāh never ordered us to create rulings in that verse.

They say, “But ʿubūr means passing something such as a river, and qiyās is passing a ruling that is mentioned from texts to something that is not covered by the texts, so the origins of iʿtibār implies qiyās.”

The answer: This is false because this is from the words that are mushtarak in meanings. So when we say ʿabartu al-nahr means crossing the river and that the meaning of ʿabartu al-ruʿya is only explaining it, it becomes apparent and known that the two are different. If a muʿabbir of a ruʿya would only cross, he would not ever be someone who clarifies the dream and would instead literally leave the dream as it only then would mean to cross. So we know then that ʿubūr is not related to ibārah. As for ʿibrah, it is about the lesson it brings on the one taking that lesson (ʿibrah), so it is only a movement from one state to another, such as a person who was once neglectful becoming aware or someone ignorant gaining knowledge about a matter. Allāh says, “They saw them [to be] twice their [own] number by [their] eyesight. But Allāh supports with His victory whom He wills. Indeed, that is a lesson (ʿibrah) for those of vision.” [3:13]

When something is first and then becomes evident through perception, it serves as a lesson for those with insight.

Similarly Allāh says, “And indeed, for you in livestock is a lesson (ʿibrah). We give you drink from that which is in their bellies,

and for you in them are numerous benefits, and from them you eat." [23:21]

Livestock brings insights and knowledge, such as the production of milk. ʿIbrah here then reminds humans of the wonders within Allāh's creations. ʿIbrah is not confined, limited, or required to be similar to anything else; instead, it only is a transformation from a state of neglect or ignorance to one of awareness and knowledge. So ʿIbrah is only a movement that is related to moving from a neglectful or ignorant state to remembrance and knowledge.

Another example for our position of iʿtibār is that if a man is witnessed intentionally killing someone, and qiṣāṣ (retaliation) is decreed upon him, it can be said to someone known for theft if they are present, "Take iʿtibār (a lesson/warning) from this." This is then only a reminder for them to avoid falling into sin and does not imply that the thief must be sentenced to death, which would be the case if he performed qiyās instead of iʿtibār, that would mean creating rulings. So there is a very clear difference between the two.

Because know that qiyās is creating rulings while we know with certainty that iʿtibār in of itself does not mean creating rulings. We also clarified that before in detail that iʿtibār would still not imply qiyās if it would mean creating new rulings. It is from the most false claims that when Allāh orders us to perform iʿtibār that that should mean an order to us to create aḥkām. So, the muʿtabir (one who draws lessons by moving from ignorance to remembrance) is not a judge or a jurist creating rulings; it is only the person who committed a transgression and should reflect upon it to return to obedience, or anyone that reflects on any incidents and returns through that to obedience.

This becomes even more evident when Allāh the Most Exalted said, "And you know about those among you who broke the Sabbath, whereupon We said to them, 'Be apes! living in disgrace. Thus, We made it a deterrent for those who were present and those [who will be] after them and a lesson for the Godfearing.'" [2:65-66]

And Allāh also says, “So, when they provoked Our anger, We took vengeance on them, and drowned them all together, and made them a people of the past, and an example for the later generations.” [43:55]

These punishments are exemplary lessons for both those who witnessed them and those who will come after, a warning to the righteous to be vigilant and avoid disobedience to Allāh to escape punishment. And it does not imply that the punishments themselves are of the same type, such as transforming individuals into apes or drowning. Instead, iʿtibār then is that a believer must have caution to prevent falling into neglect of Allāh’s order and, because of that facing punishment.

They say, “There is no doubt that Allāh chooses what he wills. But when Allāh punishes everyone who does an act of those who had transgressed regarding Sabbath by making them apes and punished everyone who did the act of Firʿawn and his soldiers by drowning them then that is according to the sunnah of Allāh and his justice. And it is not rejected that there is in the ʿilm of Allāh other punishments fit which he did not choose. Such is the case for fiqh, wherever an ʿillah is found of a ruling then it is from justice and goes according to the sunnah of Allāh to repeat the same ruling by using the ʿillah which we know and it is not prevented of there existing in the ʿilm of Allāh other rulings fit for that ʿillah which we do not know. And this is exactly what Iʿtibār then is, to repeat rulings whenever the ʿillah is found to match a case to repeat that ruling.”

We say: This is a mere claim and not a result built on valid premises, because there is nothing in Allāh punishing whom he wills inherently implying that ʿilal must be used for that ruling wherever they are found.

And also there are valid manners of rulings being repeated with its ʿillah and that is when they have come as a condition, such as the saying of Allāh, “As for a man or woman who commits theft, cut off the hands.” [5:38]

As for using the ʿillah that is in the text for matters other than for that what the words of the ruling with that ʿillah came for, this is false and creating rulings because it resembles what is in the texts is false because this is not encompassed by the wordings of the texts at all and Allāh never ordered it.

What indicates the falsehood of this are the words of Allāh the Most exalted, "Or they say, 'He (the Prophet) forged it (the Qurʿān). Say: 'Then produce ten forged surahs like it, and seek [for it] help from whomsoever you can, other than Allāh, if you speak the truth!'"" [11:13]

Reflect on how any creature fails this challenge which includes the challenge of bringing any size like it as indicated when Allāh said, "Let them then produce anything like it."

No creature is able to produce anything of any size like it. All of them agree that qiyās is separate from Qurʿān and they also claim that the furū' of issues are to be the same ruling as the uṣūl which is the Qurʿān and Sunnah. So they try to bring something like it and they are not able to as no creature is able to.

Some of them believe that ibn ʿAbbās used iʿtibār about the diyah for teeth in a manner similar to how those who use qiyās use it[243]

This is a weak narration it is weak because of the weakness of Dāwud ibn al-Ḥusayn then how when ibn ʿAbbās is not ḥujjah, the ḥujjah is only in what has come from the Prophet ﷺ only. Then how when this is something ibn ʿAbbās already narrated about the Prophet ﷺ, it is then not possible at all that his own view about it is because of qiyās.

And when Allāh said, "He is the One Who sends the winds ushering in His mercy. When they bear heavy clouds, We drive them to a lifeless land and then cause rain to fall, producing every type of fruit. Similarly, We will bring the dead to life, so perhaps you will be mindful." [7:57]

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[243] Al-Muwaṭṭaʾ 1555

And when He said, “And it is Allāh Who sends the winds, which then stir up ˹vapour, forming˺ clouds, and then We drive them to a lifeless land, giving life to the earth after its death. Similar is the Resurrection.” [35:9]

The ʿibrah of producing fruits and giving life to land is that: just as Allāh is able to give life to a land and produce fruits, he is also able to give life to the dead and resurrect them for reckoning and He is the only one able of doing that in general. The ʿibrah here is not that rulings of giving life to the dead and the resurrection are only known because of the iʿtibār of the rulings of Allāh giving life to lands and producing fruits, which is what those who believe qiyās do here and use this method for fiqh. If their approach would be applied here, it results in that the process of giving life to dead human bodies must be approached in the same manner as the annual cycle of growth that plants have and decay seen in lands, so giving life to humans as earth observed in farming. Or considering the resurrection to have four stages just as that is the case for lands gaining life in the verses of Sūrah al-Fāṭir. Which is by sending the winds, which then stir up vapor forming clouds, and then driven to lifeless lands. Or considering making any rulings the same as any of the rulings of giving life to land with giving life to the dead because of them sharing some sort of similarity. This is mere falsehood

And if the verse of iʿtibār would ever indicate qiyās as the fourth source of evidence in the religion according to them, then Allāh said that He displaces the disbelievers among the People of the Book from their positions. Both the believers and the disbelievers never anticipated this occurrence, and this is in the verse about iʿtibār. So, it is affirmed by Allāh’s words that His revelation is different from what anyone expects. While qiyās is nothing but that which aligns with their expectations

Allāh the Most Exalted said, “And Allāh is the One who sends the winds, then they raise up the clouds, then We drive them to a dead

land and revive the land through them after its death. In a similar way shall be the resurrection" [7:57]

If this would be their qiyās, it results that everyone who has passed away would be resurrected every year, just as the earth rejuvenates.

And no one with the least amount of intellect can ever understand that when Allāh says, "So, take a lesson, O people of vision," that it means the prohibition of selling five hundred forty-four grams of oak nuts for one thousand eighty-eight grams of oak nuts.

When Allāh speaks about the story of Yūsuf, He only urges us to reflect on His supreme might in creating the heavens and earth and the consequences faced by the disobedient and to return to obedience which is the meaning of iʿtibār. Allāh says regarding the story of Yūsuf, "There was certainly in their stories a lesson (ʿibrah) for those of understanding." [12:111]

Allāh invalidates their qiyās when as He said about Yūsuf, "There was certainly in their stories a lesson (ʿibrah) for those of understanding." [12:111]

According to their it results to sell our own brothers just as Yūsuf's brothers sold him. Do they believe that anyone sold by their own brothers will become a ruler of Egypt?

And when Allāh says, "They destroyed their houses by their [own] hands and the hands of the believers. So, take a lesson, O people of vision." [59:2]

Their qiyās results that we must destroy our own homes with our hands and the hands of others, because Allāh instructs us to reflect on the destruction of the houses of the Jews by their own hands and those of others.

Or when Allāh the Most Exalted says, "And verily! In the cattle, there is a lesson for you. We give you to drink of that which is in their bellies, from between excretions and blood, pure milk; palatable to the drinkers." [16:66]

Can anyone with a modicum of intellect claim that the lesson here is qiyās, and the meaning of the verse is, “Verily in the cattle there is qiyās for you.”

When Allāh mentions that grapes are used for ḥarām khabīth intoxication, they still remain permissible as a means of sustenance while the same thing is used for khamr. This declares the claim that two things must be similar in ruling because of them having similarity in an aspect which is qiyās is false.

An ʿibrah, then is then only as a means for reflect and a pathway towards obedience to Allāh alone only. This is a concept that can be easily grasped by even women and children, as well as the laypeople.

They also mention the verse, “And among His signs is that you see the land inactive, Then, once We send down water thereto, it gets excited and swells. Surely, the One who has given life to it is the One who gives life to the dead. No doubt, He is powerful to do everything.” [41:39]

They say, “Allāh showed his servants the giving of life which they witnessed to giving life which they (the humans) seek to distance themselves from (death). This is a qiyās of giving life to another form of giving life. There in this iʿtibār of what is similar to it. And its necessary ʿillah is the general might and perfect knowledge of Allāh, and giving life to the earth is then an indication for the ʿillah which is the might and perfect knowledge of Allāh.”

The answer: This is false because there is only here a farʾ and an aṣl. they are not of the exact same thing, but both still fall under the same generality, this is not qiyās. Placing particulars within a general ruling, when the wording encompasses the issues, that is obligatory as we clarified many times before.

If they mention the verse, “And these examples We site for people, and no one understands them except the knowledgeable ones.” [29:43]

And the verse, “He is the One who sends the winds carrying good news before His blessings, until when they lift up the heavy

clouds, We drive them to a dead land, then there We pour down the water, then, with it We bring forth of all the fruits. This is how We bring forth all the dead, so that you may observe advice." [7:57]

The answer: Their qiyās results in either claiming here that they are obligated to use qiyās for every single matter that comes into existence and that, "This thing is based on qiyās from Allāh moving heavy clouds, causing rain, and bringing forth fruits." With this they oblige the belief that everything other than that is only the way it is because of qiyās and affirm this as the reason for the qiyās as the fourth source of evidence in the religion.

Or they believe that Allāh Himself uses qiyās to create everything that exists, because of the reason that Allāh moved heavy clouds and let it pour down the water and brought forth all the fruits. Which is from the most false of falsehoods

Allāh is in general able to do anything and cause anything and his will and might are not related to any qiyās.

And there is no ʿillah and also not farʾ because they concur that giving life for the resurrection is without any doubt an aṣl and that giving life to a land is also an aṣl, because both of these and everything else are created by Allāh and Allāh is able to create them and cause it. So it is not possible for any of these to become a farʾ, otherwise it would mean that a farʾ is uncreated and this is from the most false beliefs. They are themselves as we mentioned before the ones that claim that the ʿillah is the might of Allāh the Most Exalted and that he is in general able to create anything. Allāh the Most Exalted says, "Have they not traveled through the earth and seen how was the fate of those who used to be before them … And there was no one to save them from Allāh." [47:10-11]

There is in this evidence that the iʿtibār which we are ordered to, is not the iʿtibār from those who use qiyās. This verse clarifies that Iʿtibār is nothing more than remembrance for the muʿmin by which he becomes fearful of Allāh, the fear which saves a person from the punishment of Allāh by returning to obedience by repentance. The ones

who do not know this much have not looked and have not reflected at the destruction of the nations before such as Nūḥ, ʿĀd, Thamūd and others Allāh the Most Exalted says, “You passed by the ruins of those ⌜destroyed peoples⌝ who had wronged themselves. It was made clear to you how We dealt with them, and We gave you ⌜many⌝ examples” [14:45].

And Allāh says, “Indeed, We have made this ⌜Qurʿān⌝ easy in your own language ⌜O Prophet⌝ so perhaps they will be mindful” [44:58].

And He says, “You have been sent⌝ as a mercy from your Lord to warn a people to whom no warner has come before you, so perhaps they may be mindful” [28:46].

And He says, “Have they not seen how many ⌜disbelieving⌝ peoples We destroyed before them? We had made them more established in the land than you. We sent down abundant rain for them and made rivers flow at their feet. Then We destroyed them for their sins and replaced them with other peoples.” [6:6]

And He says, “And We do not send the signs except to warn, and to make them afraid (of destruction).” [17:59]

We say: Iʿtibār is not mujāwazah (passing) as they believe, instead only ittiʿāẓ, which means reflecting to take a lesson from, because it is clear now that mujāwazah is not their qiyās. And also, everyone that has evidence for a matter, makes it clear (does ʿabbara) from the evidence to conclude the ruling with that evidence, because of this iʿtibār is then a word that is general, and it can then not only mean qiyās if qiyās would ever be valid, without other evidences such as taking from generality and the actions of the Messenger of Allāh ﷺ or barāʿah al-aṣliyyah and other evidences which is clarified in great detail in the previous chapters. And all these evidences are different from each other. And it is false to specify qiyās only one from these numerous sources. It is then only allowed to affirm the correct methods which excludes qiyās. If the mere meaning of iʿtibār only is used then it only means all those types of evidences which we already believe is

valid, restricting everything to the revelation, which is the texts only, and that leaves out any qiyās. So it is impossible to specify one source as they claim, meaning qiyās and leaving the others sources of evidence.

If they say say, "Mujāwazah (moving) also means taking a lesson, because as long as a person does not conclude evidence from something he sees to something else he has not taken a lesson."

We say: This is false and the clarification that taking lessons does not mean qiyās has already preceded, but also mujāwazah itself does not mean to take a lesson not from the language and also not from the sharʾ and also not the ʿaql. If someone reflects at the creation of Allāh he takes a lesson from it only and he is not described doing mujāwazah. Not only that but mujāwazah also has nothing to do with qiyās.

If they mention the verse, "But Allāh, the Most Exalted says, 'Indeed, Allāh does not shy away from setting forth any examples, even of a mosquito or anything above it. So as for those who have attained faith—they know that it is the truth from their Lord. But as for those who disbelieve—they say, 'What did Allāh mean with this example?' He misguides many thereby and He guides many thereby, but He does not misguide thereby except the defiantly disobedient.'" [2:26]

If they say, "So Allāh who is the best of giving examples, the Creator of everything who is free from any jahl and deficiency gives an example, so it must be permissible then for us to do this as well."

We say: This saying is not a result built on valid premises. We are not ordered to follow Allah. And not only does giving examples have nothing to do with their qiyās but if Allāh, who is the best of giving examples, creator of everything puts forth, free from any jahl and any deficiency an example, it does not imply that it is allowed for us to start creating rulings, the same as he brings forward rulings because we are not free from deficiency and we are not ordered to do it, and instead prohibited because it is attributing to the religion of

Allāh what is not part of it. This is sufficient to understand that examples alone are not qiyās and we will clarify the examples put forth by Allāh and His Messenger specifically in the next chapter, by the will of Allāh. We can never be certain of the correctness of anything except if it is from what Allāh has revealed His Messenger ﷺ.

The verses they mention is against them not for them as there is rejection in it for questioning the actions of Allāh and taʿlīl is part of qiyās which is questioning the actions of Allāh. Allāh also prohibits us from putting forth any examples before Allāh and his religion Allāh, the Most Exalted said, "So, do not put forward similitudes for Allāh (as there is nothing similar to Him, nor He resembles anything). Truly! Allāh knows and you know not." [16:74]

And He said, "Look how they strike for you comparisons; but they have gone misguided, so they cannot find the (right) way." [17:48]

And He said, "And if one of them is informed of the news of that which he sets forth as a parable to the Most Gracious (Allāh), his face becomes dark, and he is filled with grief!" [43:17]

And He said, "Or they say, 'He (the Prophet) forged it (the Qurʿān).' Say, 'Then produce ten forged Surahs like it, and seek [for it] help from whomsoever you can, other than Allāh, if you speak the truth!'" [11:13]

And He says, "Or do they say, 'He (the Prophet) has forged it (the Qurʿān)?' Nay! They believe not! Let them then produce anything like it, if what they are truthful" [52:33-34].

Reflect on how any creature fails this challenge which includes the challenge of bringing any size like it as indicated when Allāh said, "Let them then produce anything like it." No creature is able to produce anything of any size like it. All of them agree that qiyās is separate from Qurʿān and also they claim that the furūʿ (plural of farʿ) of issues are to be the same ruling as the uṣūl (plural of aṣl) which is everything from Qurʿān and sunnah. So they try to bring something like it and they are not able to as no creature is able to.

Also What makes it even more evident that Iʿtibār is only reflecting, is the saying of Allāh, “We will show them Our signs in the horizons and within themselves until it becomes clear to them that it is the truth. But is it not sufficient concerning your Lord that He is, over all things, a Witness?” [41:53]

And the saying of Allāh, “Then is he who knows that what has been revealed to you from your Lord is the truth like one who is blind? They will only be reminded who are people of understanding.” [13:19]

And Allāh says, “And these examples We present to the people, but none will understand them except those of knowledge.” [29:43]

Nothing other than our view can be understood from these verses, as everything else implies falsehood as clarified in detail.

They also claim that the following verse is an indication for qiyās and that it is related to iʿtibār, “Allāh says, ‘And ˹one day˺ the King said, ‘I dreamt of seven fat cows eaten up by seven skinny ones; and seven green ears of grain and ˹seven˺ others dry. O chiefs! Tell me the meaning of my dream if you can interpret dreams.’’” [12:43]

This is not possible, what is mentioned in the verse is firstly not related to iʿtibār but ʿibārah. And ʿibārah according to ahl ul-lughah only means bayān, and that is clarification for something. It can be said, “This speech is an ibārah for this,” which means that it is clarification for that speech. And a person can do iʿtibār of someone with the meaning that he gets clarification from him on a certain matter. There is no place for the meaning that it means to give a ruling to something which is not mentioned from texts.

If they claim, “When Allāh ordered in the verse of Iʿtibār using qiyās in general for everything.”

The answer: This is repeating of the same false saying that is never validated by anything. We clarified before that Iʿtibār is only moving from a state of ignorance to a state of remembrance to avoid consequences and to return to obedience to Allāh as clarified in the greatest of details. This is also without any doubt limited to where Allāh placed the limit himself.

Allāh says, “These are the limits (Rulings) of Allāh, so do not transgress them. And whoever transgresses the limits of Allāh - it is those who are the wrongdoers.” [2:229]

Allāh never allowed ever transgressing where he put the limit and never burdened creating rulings ourselves.

If they say, “We accept that Iʿtibār means tafakkur but iʿtibār must lead to knowledge and that knowledge without any doubt is regarding the rulings of the religion. That is why Allāh mentioned the verses about putting forth examples. If it would not lead to knowledge of the rulings of the religion, then there would remain no meaning in the order to perform iʿtibār and there would be no meaning in tafakkur as you claim.”

The answer: This is also a conclusion not built by valid premsies because we clarified many times that iʿtibār is nothing other than moving from a state of ignorance to a state of remembrance to return to obedience to Allāh, no Muslim can deny that this is knowledge and there is meaning to it it this does not inherently imply creating rulings whatsoever. And Allāh says, “These are the limits (rulings) of Allāh, so do not transgress them. And whoever transgresses the limits of Allāh - it is those who are the wrongdoers” [2:229].

Verses Regarding the Examples Put Forth

By Allāh Before everything, there is a clear difference between qiyās and amthāl (examples/parables). A parable/example (mathal) is the approximation of the abstract essence of an existing, known-to-exist thing to the abstract essence of another existing, known-to-exist thing.

As for qiyās, it is the approximation of the abstract essence of a non-existent thing or something disputed in its existence to the abstract essence of an existing, known-to-exist thing. So, it is false in any case to say that the parables/examples in the Qurʾān and Sunnah fall under qiyās. Examples cannot be denied by anyone because they are truthful in both of their components (the things being compared are both real).

As for qiyās, anyone can reject the thing being analogized because it does not exist in reality and is merely a conceptualization. Parables are presented to approximate the abstract essence of something that exists, while qiyās is used to establish something that does not exist. And qiyās is making a ruling while an example is put forth to cause better understanding for the one addressed.

They mention the verse, "Have they not travelled through the earth, and seen what was the end of those before them? Allāh destroyed them completely, and a similar (fate awaits) the disbelievers." [47:10]

They say, "Allāh told us that the ruling of a thing must be that which is similar to it. Everywhere Allāh ordered us to travel, it indicates iʿtibār and to be cautious from falling into what the ones that are mentioned in the verses fell into. This is why Allāh ordered those of vision to have iʿtibār from that which happened to those who belied. If it would not be the case that the ruling of a thing must be that which is similar to it, iʿtibār would not be possible. They are the aṣl, we are the farʾ, the ʿillah is sins and the ḥukm is the destruction."

The answer: This is false because this claim results in that the only reason we will be punished by Allāh is because of the reason those before us were punished and that we would not be punished if they

would not be punished. This is something Allāh has not said about himself so it is not allowed to affirm this about him. It is impossible for them to be the aṣl and us to be the farʾ as we know with certainty from other texts that Allāh will punish for sins in general as he wills, not because of the reason the nations before us were punished for their sins. This verse and all other similar verses oblige nothing other than reflecting to return to obedience to Allāh only.

They also mention the verse, "Verily, the likeness of Jesus before Allāh is the likeness of Ādam. He created him from dust, then (He) said to him, 'Be!' - and he was." [3:59]

They say, "Allāh told us that Jesus is the same as Ādam so they both have similarities. How can the existence of Jesus without a father be criticized by one who acknowledges the existence of Ādam without a father or mother? And the existence of Eve without a mother?"

The answer: This is from the greatest evidences that invalidate qiyās, because Allāh did not because of that similarity make them the same in ruling nor reveal to them the same sharīʿah, He instead revealed to both of them a complete different sharīʿah. Allāh says, "To each of you, We have prescribed a law and a clear way." [5:48]

Because qiyās is a ruling because of a similarity and Allāh did not because of that similarity make them the same. Allāh mentioned and made a similarity as He willed. Allāh mentioned no ʿillah, there is also no aṣl and no farʾ.

They also mention the verse, "Have they not seen how many a generation before them We have destroyed whom We had established on the earth such as We have not established you? And We poured out on them rain from the sky in abundance, and made the rivers flow under them. Yet We destroyed them for their sins, and We created after them other generations." [6:6]

They say, "So He mentioned, glorified be He, the destruction of the generations before us, and clarified that it was because of qiyās, which is their sins. They are the aṣl and we are the farʾ, and the sins are the ʿillah, and the judgment is the destruction. This is purely qiyās al-

ʿillah, and He, glorified be He, confirmed it with a precedent, which is that those before us were stronger than us, so their strength and severity did not protect them from what befell them."

They also mention the verse, "Like those before you: they were mightier than you in power, and more abundant in wealth and children. They had enjoyed their portion (awhile), so enjoy your portion (awhile) as those before you enjoyed their portion (awhile); and you indulged in play and pastime (and in telling lies against Allāh and His Messenger) as they indulged in play and pastime. Such are they whose deeds are in vain in this world and in the Hereafter. Such are they who are the losers." [9:69]

They say, "The intended meaning is that He, glorified be He, associated them with them in the warning, and made them equal in it as they were equal in actions. And them being stronger than them in strength and had more wealth and children, was not an effective difference, and the effect that made no difference was ignored. Then he pointed out that their participation in actions necessitated their participation in the punishment as he said, 'So enjoy your portion (awhile) as those before you enjoyed their portion (awhile); and you indulged in play.' That is the effective ʿillah and, 'Such are they whose deeds are in vain in this world and in the Hereafter.' Is the ruling. Those who were in the past are the aṣl and the ones that are addressed are the farʾ, so it is established that a ruling of a thing is that which is similar to it."

They also mention the verse, "Has not the story reached them of those before them? - The people of Nūḥ, ʿĀd, and Thamūd, the people of Ibrāhīm, the dwellers of Madyan and the cities overthrown; to them came their Messengers with clear proofs. So it was not Allāh Who wronged them, but they used to wrong themselves." [9:70]

They say, "Notice the correctness of his qiyās. The aṣl and the farʾ have been associated with the punishment and he ascertained with an example of something more deserving than the remaining, which is the severity and abundance of wealth and children. It is not difficult in

any way for Allāh to punish the strongest ones among them for their sin, then how could it be of any difficulty to punish those lower than them?"

They also mention the verse, "Nay, they have belied the knowledge whereof they could not comprehend and what has not yet been fulfilled (i.e. their punishment). Thus those before them did belie. Then see what was the end of the ẓālimūn (polytheists and wrong-doers)!" [10:39]

They say, "So he told us that those before us belied are an aṣl from who we must take iʿtibār and farʾ is us, as he associates them in meaning he also associates them in the ruling which is the punishment."

The answer: This is from the exact same claims as just before, the claim that we are the farʾ and they the aṣl is a false claim. They do not differ that Allāh did not begin the punishment for sins because of the reason this exact nation sinned. He, instead punishes everyone in general for sins however He wills. As this is the case without any possible way for disagreement, it is established that Allāh did not initiate punishing mankind for sins only because of the reason a nation began to sin, but because of sins in general, claiming otherwise is a lie attributed to Allāh as it is something he has not said about himself.

So If we would ask them: Did Allāh use qiyās or did he not use qiyās? They would not differ that He the Almighty did not use qiyās and do this because of qiyās. Claiming this is qiyās implies that qiyās is possible from an aṣl to another aṣl as all of it is already from the words of Allāh and His Messenger, they do not differ that this is impossible. As they concur that this is impossible, it is established that Allāh and His Messenger also never indicated that we must create rulings for new issues that are not covered by the Qurʿān and Sunnah, and that it is not possible to deduct qiyās from their words because all of it is moving an aṣl to another aṣl, while qiyās is moving a farʾ to an aṣl. As this is also established we know with certainty that when Allāh tells us that he punishes nations, that he does not do it again with other

nations only because of the reason one nation sinned nor the previous, but that he does it in general and this invalidates all of their claims because it is impossible then for that to be qiyās, according to their own conditions as we clarified in the chapter regarding the conditions of qiyās. The same answer applies to all other similar verses where they claim qiyās.

They also mention the verse, “Indeed, We have sent to you a Messenger as a witness upon you just as We sent to Firʿawn a messenger. But Firʿawn disobeyed the messenger, so We seized him with a ruinous seizure.” [73:151]

They say, “So he the Most Exalted told us he sent a Messenger just as he sent Mūsā to Firʿawn and that Firʿawn disobeyed the Messenger and that he was seized with a ruinous seize for that. The ones that disobey Muḥammad receive the same ruling as him.”

The answer: There is nothing in this verse other than that the Messenger was sent and that one was sent to Firʿawn, and that Firʿawn disobeyed the Messenger and that he was for that seized with a ruinous seizure. Allāh did not ever say that because of the reason Mūsā was disobeyed that those who disobey Muḥammad receive the same ruling. Otherwise those who disobeyed the Prophets before Mūsā would not be punished, so we know with certainty that punishments for disobedience is general as Allāh wills. Allāh did not say that he sent a Messenger because of the reason Mūsā was sent to Firʿawn. There is no aṣl, no farʾ and also no ʿillah.

They also mention the verse, “And among His Signs (in this), that you see the earth barren; but when We send down water (rain) to it, it is stirred to life and growth (of vegetations). Verily, He Who gives it life, surely, is Able to give life to the dead (on the Day of Resurrection). Indeed He is Able to do all things.” [41:39]

They say, “Allāh indicated by him giving life which they witness, the giving of life which they seek to distance themselves from (resurrection after death). This is a qiyās from giving life to another giving life. It is iʿtibār of a thing with that which it is similar with. The

implied ʿillah is the general ability of Allāh the Most Exalted and His perfect Wisdom, giving life to a land is the evidence for the ʿillah."

They also mention the verse, "He brings out the living from the dead, and brings out the dead from the living. And He revives the earth after its death. And thus shall you be brought out (resurrected)." [30:19]

They say, "He indicated the same ruling due to it being similar. He associated them, they shall be brought out the earth just as the living comes from the dead and the dead from the living."

The answer: The claims that these verses are about qiyās are all false. Because Allāh did not say that he will give life to the dead on the Day of Resurrection because of the reason he is able to give life to a barren land. There is only mention in it that Allāh, the Most Exalted, who is able to do anything, is able to give life to a barren land and is able to give life to the dead on the Day of Resurrection. Claiming this is qiyās is nothing but attributing a lie to Allāh, because the one that says that claims Allāh can only give life to the dead on the Day of Resurrection because of the reason he gave life to a dead land.

We ask them: Do you accept that Allāh gives life on the day of resurrection only because of the reason he can give life to a dead land? If they say, 'Yes.' They have ascribed a lie to Allāh, and if they say, 'No.' They have returned to the truth. None of them in reality accept that this is the reason or that he does this from this aṣl. This verse instead invalidates qiyās because Allāh did not because of that make them the same in ruling, because the dead brought out from the living, the living brought out from the dead and the revival of the earth after its death have without any doubt all different rulings, and none of them have one ruling which they are the same in because of this example. This correct understanding , which no one is allowed to oppose also applies to the verse, "Does man think that he will be left neglected. Was he not been a sperm from semen emitted? Then he was a clinging clot, then [Allāh] created [his form] and proportioned [him]. And made

of him two sexes, male and female. Is not that [Creator] Able to give life to the dead" [75:36-40].

And the verse, "And it is He Who sends the winds as heralds of glad tidings, going before His Mercy (rain). Till when they have carried a heavyladen cloud, We drive it to a land that is dead, then We cause water (rain) to descend thereon. Then We produce every kind of fruit therewith. Similarly, We shall raise up the dead, so that you may remember or take heed. The vegetation of a good land comes forth (easily) by the Permission of its Lord; and that which is bad, brings forth nothing but (a little) with difficulty. Thus do We explain variously the āyāt for a people who are grateful." [7:57-58]

They claim similarly as before, "So He informed us that there are two kinds of giving life: one based from iʿtibār and qiyās from the other. Then He mentioned another qiyās that from the earth good vegetation comes forth when watered by His permission, while there are lands that produce nothing except what is bitter, meaning little benefit from it. So when rain falls upon it, it does not produce what the good land produces. So, He likened the revelation sent down from the sky to the hearts with the water that brings forth life, both for this and that. And He likened the hearts to the land, as it is the place of actions just as the land is the place of plants. And indeed, the heart that does not benefit from the revelation, does not purify through it, and does not believe in it is like the land that does not benefit from the rain and does not produce its plants except a little, which is of no use. And the heart that believes in the revelation, purifies through it, and acts upon it is like the land that brings forth its vegetation through the rain. So when the believer hears the Qurʿān, reflects upon it, and ponders over it, its effect is evident on him. He is likened to the good land that is irrigated and fertilized, and the impact of the rain on it is good, so it produces from every noble kind. And turning away from the revelation is the opposite."

They also mention the verse, "O mankind! If you are in doubt about the Resurrection, then verily We have created you from dust,

then from a nuṭfah (mixed drops of male and female sexual discharge i.e. the offspring of Ādam), then from a clot (a piece of thick coagulated blood) then from a little lump of flesh - some formed and some unformed (as in the case of miscarriage) - that We may make (it) clear to you (i.e. to show you Our Power and Ability to do what We will). And We cause whom We will to remain in the wombs for an appointed term, then We bring you out as infants, then (give you growth) that you may reach your age of full strength. And among you there is he who dies (young), and among you there is he who is brought back to the miserable old age, so that he knows nothing after having known. And you see the earth barren, but when We send down water (rain) on it, it is stirred (to life), and it swells and puts forth every lovely kind (of growth)." [22:5]

They say, "If you are in doubt about the resurrection, then surely you are not in doubt about being created. You are not in doubt about the transition from one state to another until death. And the resurrection that you have been promised is similar to the first creation. They are similar in possibility and occurrence. Your return after death is a new creation, just like the first creation which you do not doubt. So, how can you deny one of these creations while witnessing that which is similar to it? Indeed, Allāh the Most Exalted has reiterated and elaborated on this meaning in His book with the most concise expressions, the clearest evidence, the most eloquent speech, the firmest basis for excuse, and the strongest argument."

And they mention the verse, Then tell Me (about) the (human) semen that you emit. Is it you who create it, or are We the Creator? We have decreed death to you all, and We are not outstripped, To transfigure you and create you in (forms) that you know not. And indeed, you have already known the first form of creation: why then do you not remember (or take heed)?" [56:58-62]

They say, "He indicated using the first form of creation, the second one, if they would they heed they would know that there is no difference between them."

And they mention the verse, “Do they not see that Allāh, who created the heavens and earth, is [the one] Able to create the likes of them? And He has appointed for them a term, about which there is no doubt. But the wrongdoers refuse except disbelief.” [17:99]

They say, “What is meant is that Allāh indicated using the creation on the heavens and earth the resurrection and affirmed this qiyās in a manner of al-awla. Which is that the creation of the heavens and earth is greater than the creation of mankind, so the one that is able to create what is greater than you is most able to create you. The first creation is not any more difficult for him than the resurrection. So the deniers of the resurrection will not deny it except by simply rejecting Allāh and His messengers, and by attempting to limit His power and attributing His actions to deficiency, and by casting doubt on His wisdom. So Allāh, exalted be He, informs us that whoever denies this is an infidel. As Allāh says, ‘Say, ‘Travel in the land and see how (Allāh) originated the creation, and then Allāh will bring forth the creation of the Hereafter.’’ [29:20]

And He says, ‘Do you disbelieve in Him Who created you out of dust then out of mixed semen drops of male and female discharge, then fashioned you into a man?’ [18:37]

And He says, ‘He brings out the living from the dead, and brings out the dead from the living. And He revives the earth after its death. And thus shall you be brought out (resurrected).’” [30:19]

And they mention the verse, “And (remember) the Day when We shall roll up the heaven like a scroll rolled up for books. As We began the first creation, We shall repeat it.” [21:104]

They say, “So the ruling of a thing is that which is similar to it.”

And they mention the verse, “So let man see from what he is created! He is created from a water gushing forth, Proceeding from between the backbone and the ribs. Verily, (Allāh) is Able to bring him back (to life)! The Day when all the secrets will be examined” [86:5-9].

And the verse, “Then let man look at his food: We pour forth water in abundance. And We split the earth in clefts. And We cause therein the grain to grow, And grapes and clover plants And olives and date-palms, And gardens dense with many trees, And fruits and herbage.” [80:24-31]

They say, “So He, glorified be He, made the similarity of bringing out his food from the earth as evidence to bringing him out after his death, a ruling based from a similarity.”

The answer: The exact same answer applies for these cases. As clarified before, claiming Allāh used qiyās here is a lie attributed to him, it implies that he only will give life on the Day of Resurrection because he is able to proportion mankind, this is something He, the Most Exalted has never said about himself. There is then no farʾ returned to an aṣl. If they claim that the day of Resurrection is the farʾ, Then this farʾ is returned to multiple aṣl’s such as to giving life to a barren land, proportioning mankind. And also if they affirm that these are the aṣl’s to which this exact farʾ is returned to, then it implies according to them that if Allāh would not put forth the examples of giving life to a barren land, or about proportioning mankind that he would not have given life on the day of Resurrection. Allāh instead put forth the example however he willed, and the examples put forth by Allāh are the absolute truth. There is nothing in these verses other than reflecting in order to return to obedience to Allāh only, without any order for us to create rulings ourselves. There is no composition more false than that any of these mean the order to draw qiyās from the issue of corn to the ruling of wheat. What is not rejected without any doubt is that a creation can indicate something, if it is exactly as Allāh has said. Allāh is in general able to create anything however He wills. Even if Allāh had told us that he will give life to the dead on the day of Resurrection because of the reason he gave life to mankind the first time, this would then qiyās. We do not reject that rulings can have reasons, just as here the reason of the Day of Judgment would have a reason. What we only reject is moving that reason to where it is not

mentioned to create another ruling, such as if someone would say, “Because of this reason there is a third Day of Judgment.”

This is something impossible and is apostasy without any doubt, while that would be only possible through qiyās. And if these verses would indicate qiyās then the creation would be repeated a third time and a fourth time, and this belief is apostasy without any doubt, from their own conditions is that an ʿillah must be consistent, if they claim these verses are qiyās then it implies that they belief the creation is repeated a third time, fourth time and so on. This is something none of them belief in reality which clearly indicates them forsaking qiyās. And as they do not belief in this, these verses in reality invalidate qiyās because Allāh did not for that reason say that he will repeat the creation a third time and a fourth time. If these verses would be qiyās, and they concur that the Day of Judgment is the aṣl as they claim and the food a farʾ, then the rulings of food would be applied to the Day of Judgment. It is impossible for any of these verses to be qiyās because not a single ruling in the first place and the second on the Day any difference of opinion, and a claim of such is a claim without knowledge and a lie attributed to Allāh, the Most Exalted. And also these verses all invalidate qiyās because the rulings of the first life and the life on the Day of Judgment are completely different such as that there is after that Day eternity, while this without any doubt not in the first life. If verses such as, “The likeness of the two parties is as the blind and the deaf and the seer and the hearer. Are they equal when compared? Will you not then take heed?” [11:24] would ever indicate qiyās, then every blind and deaf would take the rulings of the infidels, which is something that no one has ever uttered before, we know that as Allāh did not make them the same in ruling because of this example, that Allāh has in reality invalidated qiyās, as this is what qiyās is and he never ordered its implications here and also not in any of the verses they mentioned before. We do not ever reject that everything in the world resembles something in at least one aspect, none of a similarity alone is related to qiyās, something is only qiyās when because of a

similarity a ruling is made the same. Allāh the Most Exalted did not clarify in it the forty conditions for a valid qiyās, he also did not indicate its permissibility and also did not order it, there is no other possibility, this is the truth which no one is allowed to oppose. This correct understanding applies also for the verse, “And that He creates the pairs, male and female, From nuṭfah (drops of semen - male and female discharges) when it is emitted.” [53:45-46]

And the verse, “Until, when they have carried heavy rain clouds, We drive them to a dead land and We send down rain therein and bring forth thereby [some] of all the fruits. Thus will We bring forth the dead; perhaps you may be reminded.” [7:57]

And the verse, “And you see the earth barren, but when We send down upon it rain, it quivers and swells and grows [something] of every beautiful kind.” [22:5]

And the verse, “And it is Allāh who sends the winds, and they stir the clouds, and We drive them to a dead land and give life thereby to the earth after its lifelessness. Thus is the resurrection.” [35:9]

And the verse, “And We have sent down blessed rain from the sky and made grow thereby gardens and grain from the harvest And lofty palm trees having fruit arranged in layers - As provision for the servants, and We have given life thereby to a dead land. Thus is the emergence [i.e., resurrection].” [50:9-10]

And the verse, “And they will say: ‘Who will restore us?’ Say, ‘He who brought you fort h the first time.’” [17:51]

These verses and all verses similar to it fall into the same category as those we mentioned earlier which we clarified in great detail when we discussed the verse of iʿtibār. Anyone who uses these verses to affirm qiyās for aḥkām is either a blind jāhil who does not know what qiyās is or uses it by deception, or someone that does not care and says whatever he wishes. Allāh only tells that he gives life to the dead and is able to do anything, not some, and not that he does what he does because of a qiyās, also not that Allāh needs qiyās to do it, and also not that he uses it. And also no order for us to use qiyās, there is

also nothing clarified about qiyās. If it would be qiyās then Allāh would as we mentioned previously, give life to the dead every year in the beginning of spring and let them die at the beginning of winter. Allāh the Most Exalted only says that he gives life to the earth and life to the dead and is able to do both and beyond that, not that he is able to do a matter because of the exact reason he is able to give life to the other. The same correct understanding applies for the verse, "And man [the disbeliever] says, 'When I have died, am I going to be brought forth alive?' Does man not remember that We created him before, while he was nothing?" [19:66-67]

All of this is against qiyās because Allāh never said that he will bring us forth the second time from semen, soil, or a clinging substance. This verse is only for us to reflect on the might of Allāh and that he can do however he wills and say as he wills, none is worthy of worship except Allāh alone. These verses are the same as the ones before. That humans did not exist and were then created by Allāh. And Allāh also never said that it would return to that nonexistence ever as there is after judgment day only eternity without an end and no perishing, either in bliss or in punishment. The same correct understanding applies for the verse, "Are you a more difficult creation or is the heaven? He [Allāh] constructed it. He raised its ceiling and proportioned it" [79:27-28].

Allāh only clarifies his might from what we can see and from what he told us from which we cannot see and this is again from what is against qiyās because qiyās is only giving the same ruling if the ʿilal between two issues are similar and there is not given here the same ruling for that, these are the same for all similar verses such as, "And present to them the example of the life of this world, [its being] like rain which We send down from the sky, and the vegetation of the earth mingles with it and [then] it becomes dry remnants, scattered by the winds. And Allāh is ever, over all things, Perfect in Ability." [18:45]

And the verse, “Indeed, We have tried them as We tried the companions of the garden, when they swore to cut its fruit in the [early] morning Without making exception.” [68:17]

And the verse, “Such is the punishment (in this life), but truly, the punishment of the Hereafter is greater if they but knew.” [68:33]

No comparison is more similar than when Allāh makes them similar to each other, Allāh made the life of this world similar to plants growing from water in verse, “The life of this world is just like rain We send down from the sky, producing a mixture of plants which humans and animals consume. Then just as the earth looks its best, perfectly beautified, and its people think they have full control over it, there comes to it Our command by night or by day, so We mow it down as if it never flourished yesterday! This is how We make the signs clear for people who reflect.” [10:24]

And other examples which never implied that because of it being similar, that it also must have the same ruling. This then indicates the falsehood of qiyās because Allāh did not with these examples oblige the same rulings between which is the exact meaning of qiyās. If Allāh makes matters similar that is the best of similarities and that is when things become the most similar to each other. The same applies for the verse, “And their description in the Gospel is as a plant which produces its offshoots and strengthens them so they grow firm and stand upon their stalks, delighting the sowers - so that He [Allāh] may enrage by them the disbelievers.” [48:29]

That plant which produces its offshoots is not something that worships and also not something that will get judged for its actions in the hereafter, the people that are resembled to the plant are without a doubt much different from it they worship and will get judged for all their actions unlike plants. So this has nothing to do with qiyās, and also has not a single indication for qiyās and it invalidates the method of Qāʿisūn as there was not necessitated similar rulings for what they been made similar for. And also the verse, “The likeness of those who take (false deities as) protectors, helpers other than Allāh is the likeness

of a spider who builds (for itself) a house; but verily, the frailest (weakest) of houses is the spider's house - if they but knew." [29:41]

The infidels are not made the same ruling as spiders, so it invalidates qiyās, only a similarity between them is mentioned. This also applies for the verse, "As for those who disbelieve, their deeds are like a mirage in a desert. The thirsty one thinks it to be water until, when he comes with it, he finds it to be nothing; but he finds Allāh with him, Who will pay him his due (He ll). And Allāh is Swift in taking account. Or [the state of a disbeliever] is like the darkness in a vast deep sea, overwhelmed with waves topped by waves, topped by dark clouds, (layers of) darkness upon darkness: if a man stretches out his hand, he can hardly see it! And he for whom Allāh has not appointed light, for him there is no light." [24:39-40]

The rulings of a mirage on a desert is not made the same to the infidel, which invalidates qiyās, there is only a similarity mentioned between them. The same correct understanding applies for the verse, "Allāh is the Light of the heavens and the earth. The parable of His Light is as (if there were) a niche and within it a lamp: the lamp is in a glass, the glass as it were a brilliant star, lit from a blessed tree, an olive, neither of the east (i.e. neither it gets sunrays only in the morning) nor of the west (i.e. nor it gets sun-rays only in the afternoon, but it is exposed to the sun all day long), whose oil would almost glow forth (of itself), though no fire touched it. Light upon Light! Allāh guides to His Light whom He wills. And Allāh sets forth parables for mankind, and Allāh is All-Knower of everything." [24:35]

And the verse, "Or do you think that most of them hear or understand? They are only like cattle - nay, they are even farther astray from the Path." [25:44]

The same correct understanding applies for the verse, "He sets forth for you a parable from your own selves: Do you have partners among those whom your right hands possess (i.e. your slaves) to share as equals in the wealth We have bestowed on you whom you fear as

you fear each other? Thus do We explain the signs in detail to a people who have sense." [30:28]

And the verse, "Was he not been a sperm from semen emitted? Then he was a clinging clot, and [Allāh] created [his form] and proportioned [him]. And made of him two sexes, male and female. Is not that [Creator] Able to give life to the dead?" [75:37-40]

And the verse, "And he puts forth for Us an example, and forgets his own creation. He says: 'Who will give life to these bones after they are rotten and have become dust?' Say, 'He will give life to them Who created them for the first time! And He is the All-Knower of every creation!' He Who produces for you fire out of the green tree, when behold you kindle therewith. Is not He Who created the heavens and the earth, Able to create the like of them? Yes, indeed! He is the All-Knowing Supreme Creator. Verily, His Command, when He intends a thing, is only that He says to it, 'Be!' - and it is! So glorified be He and exalted above all that they associate with Him, and in Whose Hands is the dominion of all things: and to Him you shall be returned." [36:78-83]

And the verse, "And man (the disbeliever) says, 'When I am dead, shall I then be raised up alive?' Does not man remember that We created him before, while he was nothing?" [19:66-67]

And the verse "And they say, 'When we are bones and fragments (destroyed), should we really be resurrected (to be) a new creation?'" [17:49]

And the verse, "Say, 'Be you stones or iron or some created thing that is yet greater (or harder) in your breasts (thoughts to be resurrected, even then you shall be resurrected).' Then, they will say, 'Who shall bring us back (to life)?' Say, 'He Who created you first!'" [17:50-51]

And the verse, "'When we are bones and fragments (destroyed), should we really be resurrected (to be) a new creation?'" [17:49]

And the verse, “Verily, the likeness of (this) worldly life is as the water (rain) which We send down from the sky; so by it arises the intermingled produce of the earth of which men and cattle eat: until when the earth is clad in its adornments and is beautified, and its people think that they have all the powers of disposal over it, Our Command reaches it by night or by day and We make it like a clean-mown harvest, as if it had not flourished yesterday! Thus do We explain the verses in detail for the people who reflect. Allāh calls to the Home of Peace (Paradise) and guides whom He wills to the Straight Path.” [10:24-25]

No one ever rejects Allāh setting forth examples except an infidel. Instead Allāh set forth examples of farms like the earth and the acts of infidels like a mirage in a desert and the oppressors like the previous nations. Allāh set forth numerous examples, whoever turns away from these exact examples that are brought forth by Allāh, which are the best of examples and transgresses by prohibiting the selling of dry meat except with equal exchange, claiming it to ribā or transgresses to the point where he claims the wife of the husband, who the husband had intercourse with during the daytimes of ramaḍān has to free a slave. Or transgresses to the point where mahr cannot be except ten dirhams or four dīnārs. Or transgresses to the point where the one doing sodomy is lashed the same lashes as zinā attributes many lies against the sharīʿah with this false method of many false matters. There is no difference in claiming these verses to mean the opposite of what they claim. Allāh sets forth examples, and the examples he sets forth are all truth and the best of examples and we say exactly as Allāh has said because of it being matters that is said by Allāh. And we also say that which is the truth which no one is ever allowed to oppose and that is that it is not allowed for us to transgress anything where Allāh made the example to be for many reasons, among them is it attributing a lie to Allāh with no knowledge and affirming it is affirming speculations and assumptions. And not only does giving examples have nothing to do with their meaning of qiyās but if Allāh, who is the best of giving

examples, creator of everything gives, free from any ignorance and any deficiency an example, it does not mean that it is allowed for us to create rulings ourselves because we are not free from deficiency and we are not ordered to do it, and we are not ordered to follow the actions of Allah, and we can never be certain of the correctness of anything except if it is from what Allāh has revealed and to his Messenger ﷺ. The verses they cite is against them not for them as there is rejection in it for questioning the actions of Allāh and taʿlīl is part of qiyās which is questioning the actions of Allāh.

And other decisive evidences for our saying is the saying of Allah, "So, do not put forward similitudes for Allāh (as there is nothing similar to Him, nor He resembles anything). Truly! Allāh knows and you know not." [16:74]

And He said, "Look how they strike for you comparisons; but they have gone misguided, so they cannot find the (right) way." [17:48]

And He said, "And if one of them is informed of the news of that which he sets forth as a parable to the Most Gracious (Allāh), his face becomes dark, and he is filled with grief!" [43:17]

And He said, "Or they say, 'He (the Prophet) forged it (the Qurʿān).' Say, 'Then produce ten forged Surahs like it, and seek [for it] help from whomsoever you can, other than Allāh, if you speak the truth!'" [11:13]

And He says, "Or do they say, 'He (the Prophet) has forged it (the Qurʿān)?' Nay! They believe not! Let them then produce anything like it, if what they are truthful." [52:33-34]

They also mention the verse, "Allāh puts forward the example of (two men - a believer and a disbeliever); a slave (disbeliever) under the possession of another, he has no power of any sort, and (the other), a man (believer) on whom We have bestowed a good provision from Us, and he spends thereof secretly and openly. Can they be equal? (By no means). All the praises and thanks are to Allāh. Nay! (But) most of them know not. And Allāh puts forward (another) example of two men, one of them dumb, who has no power over anything (disbeliever), and

he is a burden on his master; whichever way he directs him, he brings no good. Is such a man equal to one (believer) who commands justice, and is himself on the Straight Path?" [16:75-76]

They say, "There is qiyās al-ʿaks here. The first example Allāh put forward of himself to idols. Allāh is the owner of everything and gives whatever he wills to his slaves, while idols in the other hand are owned and are unable to do anything, so how can they make partners for Allāh and worship other than Allāh with that clear difference."

The answer: What has been clarified before in detail applies here as well. And it is from their own conditions for qiyās that it must not be something that is already known in general before moving the farʾ to the aṣl. And it is known that Allāh is the owner of everything and that he gives whatever he wills to his slaves before idols became owned by mankind.

They also mention the verse, "Then what is wrong with them (the infidels) that they turn away from (receiving) admonition? As if they were (frightened) wild donkeys." [74:49-50]

And they mention the verse, "The likeness of those who were entrusted with the Torah (to obey its commandments and to practice its laws), but who subsequently failed in those (obligations), is as the likeness of a donkey which carries huge burdens of books (but understands nothing from them). How bad is the example of people who deny the āyāt of Allāh. And Allāh guides not the people who are wrong-doers." [62:5]

They say, "So Allāh did qiyās and likened whoever was entrusted with His book to believe in it, ponder over it, act upon it, and invite others to it, then contradicted that and did not carry it except on the back of a heart, to the reading of it without reflection, understanding, or following it, nor making judgments based on it, nor acting in accordance with its requirements, like a donkey carrying volumes on its back, unaware of their content, and its share of them is nothing but carrying them on its back. So, his share of the Book of Allāh is like the share of this donkey of the books on its back. This

example, even though it was given concerning the Jews, is applicable in meaning to whoever carried the Qurʿān but abandoned acting upon it, did not fulfill its rights, and did not properly care for it."

They also say, "He likened them in their turning away from and aversion to the Qurʿān to the reaction of donkeys when they see a lion or a shooter, so they flee from it. This is from the ingenious analogy and simile. For indeed, the people, in their ignorance of what Allāh has sent His messenger with, are like donkeys that do not understand anything. So when they hear the roar of the lion or the sound of shooting, they flee from it in utmost aversion. This is the extreme condemnation for these people, for they have turned away from the guidance in which their happiness and life lie, just as camels flee from what destroys and cripples them."

The answer: If this would be qiyās, then the infidels take the same rulings as donkeys and according to the mālikiyyah eating the flesh of human infidels would be permissible as the mālikiyyah allow the consumption of donkeys. There is no aṣl and no farʾ here, we have said many times that a mere resemblance itself is not rejected, and that a mere resemblance itself is not qiyās. The same applies for the verse, "And recite to them the story of him to whom We gave Our āyāt but he threw them away; so Satan followed him up, and he became of those who went astray. And had We willed, We would surely have elevated him therewith but he clung to the earth and followed his own vain desire. So his parable is the parable of a dog: if you drive him away, he lolls his tongue out, or if you leave him alone, he (still) lolls his tongue out. Such is the parable of the people who reject Our āyāt. So relate the stories, perhaps they may reflect." [7:175-176]

They also mention the verse, "O you who believe! Avoid much suspicion; indeed some suspicions are sins. And spy not, neither backbite one another. Would one of you like to eat the flesh of his dead brother? You would hate it. And fear Allāh. Verily, Allāh is the One Who forgives and accepts repentance, Most Merciful." [49:12]

They say, “This is one of the finest examples of qiyās, as He likened backbiting a brother to tearing his flesh. When the backbiter tears the honor of his brother in his absence, it is akin to someone cutting the flesh of his brother as the backbitten is absent due to death. And as the backbitten is incapable of defending himself because he is absent from getting blamed, he is like a dead person whose flesh is cut and who cannot defend himself. Since brotherhood necessitates compassion, support, and protection, the backbiter's actions contradict these requirements, resembling the cutting of his brother's flesh. Brotherhood requires safeguarding and defending, while backbiting entails the opposite—reproaching and blaming. When the backbiter enjoys the defamation of his brother, reveling in his absence and criticism, he is likened to someone who relishes eating his brother's flesh after cutting it. His enjoyment of this act exceeds mere consumption, just as his eating surpasses mere tearing. Reflect on this qiyās, its appropriateness, and its resonance with human reason. Consider His mention of their disgust for eating their brother's flesh, described at the end of the verse, and His denial in the beginning that any of them would desire it. If they abhor this act, how could they love what is similar to it? He argued against them with what they detested to illustrate what they loved, which is the opposite. They are most repulsed by it. So, reason, instinct, and wisdom dictate that they should be most repulsed by what is similar to it and resembles it. Success comes from Allāh.”

The answer: If this would be qiyās, then qisās (of blood) would be obligatory for backbiting as qiyās is applying the same ruling because of a similarity. As we know that Allāh and His Messenger did not apply the same ruling because of a similarity, we know that this is instead invalidating qiyās. They do not differ that there is no qisās, which clearly indicates that they have forsaken qiyās. Everything we mention before applies here as well. The same correct understanding applies for the verse, “The parable of those who disbelieved in their Lord is that their works are as ashes, on which the wind blows furiously

on a stormy day; they shall not be able to get aught of what they have earned. That is the straying, far away (from the Right Path).” [14:18]

And the verse, “See you not how Allāh sets forth a parable? A goodly word as a goodly tree, whose root is firmly fixed, and its branches (reach) to the sky (i.e. very high). Giving its fruit at all times, by the Leave of its Lord, and Allāh sets forth parables for mankind in order that they may remember.” [14:24-25]

And the verse, “Shall We treat those who believe and do righteous good deeds as mufsidūn (those who associate partners in worship with Allāh and commit crimes) on earth? Or shall We treat the pious as the fujjār (criminals, disbelievers, the wicked)?” [38:28]

And the verse, “It is Allāh Who has sent down the Book in truth, and the Balance (mīzān).” [42:17]

And the verse, “Indeed We have sent Our Messengers with clear proofs, and revealed with them the Scripture and the Balance (mīzān) that mankind may keep up justice.” [57:25]

And the verses, “The Most Gracious. He has taught (you mankind) the Qurʿān (by His Mercy)... And the heaven: He has raised it high, and He has set up the Balance (mīzān).” [55:1-7].

They say, “Do you not see how he reminded using the ʿaql and reminded using the fiṭrah which he gave to mankind which to apply a ruling on a matter as what is similar to it. All of this is from the mīzān Allāh revealed with his book and associated it with it. What is meant with mīzān is justice and a tool used to know with it the justice and what contradicts it. Correct qiyās is the mīzān. The only reason qiyās is not mentioned in the Qurʿān while it is the mīzān is because qiyās can be false and correct and the mīzān is always something correct.”

The answer: These are among the most false claims without any trace of evidence. As for the claim about the ʿaql and fiṭrah, The ʿaql and fiṭrah know nothing other than following the words of Allāh and His Messenger alone. As for the claim about it being from the ʿaql and fiṭrah to make a ruling of an issue as its similarities, we do not know how a slave of Allāh can utter such. We do not know when a ruling is

similar and when it is not except when Allāh and His Messenger inform us. We also know with certainty that there are dozens of issues that are similar yet have different rulings, this is something undeniable. And any similarity between two issues is not a valid qiyās according their own conditions of qiyās. It is possible for an issue to be part of a general ruling while it may be similar and also while it may not be similar. It is not one of the two. Regarding their sayings about Mīzān, they are mere claims with no roots to it, mīzān means justice and there is nothing more just than following the words of Allāh and His Messenger alone. And there is nothing more unjust than following something other than the words of Allāh and His Messenger.

Everything we mentioned applies also for the verse, "And among His Signs (in this), that you see the earth barren; but when We send down water (rain) to it, it is stirred to life and growth (of vegetations). Verily, He Who gives it life, surely, is Able to give life to the dead (on the Day of Resurrection). Indeed He is Able to do all things." [41:39]

And the verse, "And the earth! We have spread it out, and set thereon mountains standing firm, and have produced therein every kind of lovely growth (plants). An insight and a Reminder for every slave who turns to Allāh in repentance." [50:7-8]

Regarding ḥūr al-ʿayn and good deeds of the infidels. They mention the verse where Allāh says, "The good they do in this worldly life is like the harvest of an evil people struck by a bitter wind, destroying it ʿcompletelyʾ. Allāh never wronged them, but they wronged themselves." [3:117]

The answer: Allāh likened the falsehood of the acts of infidels to the destruction of harvest by bitter wind. And there is no qiyās in any of that. We ask them: Tell us what qiyās can be concluded from this: Is the one whose harvest gets destroyed going to hellfire for eternity like the one dying while he is an infidel because of that being likened to the acts of the infidels. Or do you think that if the acts of the infidel gets invalidated that his harvest will get destroyed like the

harvest that gets destroyed by a bitter wind? They also mention the verses, “Those ˹maidens˺ will be ˹as elegant˺ as rubies and coral.” [55:18]

And the verse, “There will circulate among them [servant] boys [especially] for them, as if they were pearls well-protected.” [52:24]

And Allāh the verse, “Plucking people away, as if they were trunks of uprooted palm-trees.” [54:20]

And the verse, “They will emerge from the graves as if they were locusts spreading.” [54:7]

We say: It is known by anyone that rubies and coral can be sold, stolen, are brought forth from the salty sea, that rubies and coral do not have intellect, and that rubies and coral are not humans and not animals. ḥūr al-ʿayn are nothing like this, It is established that ḥūr al-ʿayn have intellect, are alive, speak, have intercourse, drink and eat. Rubies and coral are nothing like this. The same with every other example made by Allāh: people are nothing like palm-trees, locusts or pearls as mentioned in the previous verses. Allāh only likened ḥūr al-ʿayn with rubies and coral in the aspect of being pure, and likewise for the other examples only in a few aspects, and none of that is qiyās. We do not reject that things can be similar in certain aspects with each other, we only reject giving them rulings because of the reason something is similar to something in certain aspects. For issues that have no texts from the Messenger of Allāh for that. These verses are all instead annul qiyās, because Allāh made ḥūr al-ʿayn similar to rubies, coral, and He made actions of infidels similar to harvest that gets destroyed by bitter wind, and He made Humans similar to trunks, palm-trees and locusts. And them being similar never implied that rubies and coral must take the rulings of ḥūr al-ʿayn, and also does not necessitate that the harvest takes the ruling of the actions of the infidels such as getting cursed, barāʿah from them, threatening them. No one ever does that against harvest. And also not that the actions of the infidels take the ruling of harvest such as benefiting animals and other

things. This proves that things being similar in a certain aspect does not necessitate that they must be from the same ruling. And there is no thing that is more similar to each other than when Allāh tells us about their similarity, if that perfect similarity Allāh made between All of them never necessitated that they should be similar in rulings then it is established that the method of ahl ul-qiyās is all deceit and full of lies. Regarding Messengers being sent one after another, they also mention the verse where Allāh says, “By the winds (or angels or the Messengers of Allāh) sent forth one after another.” [77:1]

There is evidence in this for corruption in the intellect of the one using this as an evidence to affirm qiyās and the low ḥayāʾ with nothing more to mention about them and in Allāh we seek refuge and we ask him for success. There is no sending forth one after another except how Allāh told it to be. As for the people other than Messengers being sent one after another there is no specific ruling for them and no meaning for it, since people that are created besides them did not come after another except as oppressive. The verse regarding Ādam ﷺ covering himself. They mention the verse where Allāh says regarding Ādam, “They began to cover themselves with the leaves of Paradise.” [7:22]

There is not a single possible way to indicate qiyās with this. They also mention the Āyah where Allāh says regarding Ibrāhīm ﷺ, “My Lord, show me how You give life to the dead.” [2:260]

This is the same as the verse before, no one has ever understood Allāh giving life to birds to mean qiyās or to have any indication for qiyās and also not that because of Allāh giving life that it means the prohibition on selling rice for more or less rice. Anyone who claims this from any of these verses must fear Allāh. It is now clear that all such verses cannot ever indicate qiyās, and All praise is due to Allāh, there is no power or strength except by Allāh. The Most High, the Most Great. Allāh Alone is Sufficient for us, and He is the Best Disposer of affairs.

Saying ‘Uff’ to Parents

The correct view by the will of Allāh, which no one is allowed to oppose, is that the prohibition against harming one’s parents is only indicated by other texts, which indicates the prohibition on any harm in general. As for the verse they mention the prohibition is only for uttering ‘uff’ without any accompanying actions. Allāh the Most Exalted says in the next verse, “And lower unto them the wing of submission and humility through mercy, and say, ‘My Lord! Bestow on them Your Mercy as they did bring me up when I was young.’” [17:24]

By this and other texts it becomes obligatory to do good towards the parents in all aspects and prohibits causing any harm through speech or actions to them. If the prohibition against causing harm to parents would only be derived from the prohibition of uttering the letters ‘uff,’ then the next mention of lowering the wing of submission and humility towards parents in the next verses would lose its value. The mention of lowering the wing of submission and humility through mercy and the prohibition of saying ‘uff’ convey two different meanings, so it is impossible to equate the two.

If we were to ask them: Did Allāh prohibit harming and killing the parents only through this verse or through other orders? None of them would hesitate to concur that that originates from many other orders. Allāh did not restrict the expected behavior towards parents and harming them only through prohibiting uttering the letters ‘uff,’ it is false to claim that we can comprehensively understand the broader aspects of parental treatment solely through the prohibition of uttering these letters.

Among the other certain evidences that a prohibition of uttering ‘uff’ to parents does not inherently encompass a prohibition on causing harm beyond the specific letters ‘uff’ is a case where Zayd kills or inflicts severe injury upon ʿAmr, along with falsely accusing him of adultery and spitting on his face. If witnesses who observed this

incident were to claim that Zayd merely said ‘uff’ to ʿAmr, intending to encompass all of Zayd’s actions, then their testimony is false and rejected.

We also say to them: If someone says to you, “Do not say ‘uff’ to me!” Do you understand from this inherently that you must not slander him, harm him, spit on him, kill him and not inflict any harm at all on him? No one with correct senses can understand something like this from this order.

Obedience to Authority

They mention the verses, “You are the best nation produced [as an example] for mankind. You enjoin what is right and forbid what is wrong and.” [3:110]

And the verse, “O you who have believed, obey Allāh and obey the Messenger and those in authority among you.” [4:59]

They say, “Allāh did not specify that we must only obey those in authority if what they say is from the waḥī, it is instead general, even if the authority orders qiyās, so we must obey them in that as well.”

This is false because Allāh never ordered those in authority to speak from their raʿī or say from them own selves including qiyās, we clarified before that the greatest authority is those that come bring from the Prophet ﷺ so it is nothing other than what they directly transmit from the Prophet ﷺ not anything at all from themselves, there is nothing indicating that it is anything other than the revelation, the complete clarification for that has preceded many times. Their only obligation is as ordered by Allāh to say what they hear from the Prophet obtain understanding in the religion which he has revealed to His Prophet and to warn with that the people, as Allāh the Most Exalted said, “And hold firmly to the rope of Allāh all together and do not become divided.” [3:103]

And He said, “These are the limits (rulings) of Allāh, so do not transgress them.” [2:229]

And He said, “And do not pursue that of which you have no knowledge.” [17:36]

And He said, “[Shaytan] only orders you to evil and immorality and to say about Allāh what you do not know.” [2:169]

Allāh the Most Exalted says, “If it had been from [any] other than Allāh, they would have found within it much contradiction.” [4:82].

And a certain evidence is that Allāh the Most Exalted said, “Whoever transgresses the limits of Allāh has wronged himself.” [2:229].

And Allāh the Most Exalted said, “If it had been from [any] other than Allāh, they would have found within it much contradiction.” [4:82]

There is no more contradiction then all of these corrupt methods that are not from Allāh and his Messenger so it is established from every angle that nothing they come with is obliging except if it is transmitted from the Messenger of Allāh.

Allāh the Most Exalted ordered the Messenger of Allāh say, when He said, “I follow nothing except what is revealed to me” [6:50].

And Allāh says, “When you do not bring them a sign, they say, ‘Why do you not invent one?’ Say, ‘I follow only what is revealed to me by my Lord. This Book is nothing but evidence from your Lord and a guide and mercy to true believers’” [7:203].

And Allāh says, “And follow what is revealed to you, and be patient until Allāh will judge. And He is the best of judges” [10:109].

And Allāh says, “And follow that which is revealed to you from your Lord. Indeed Allāh is All-Aware of what you do” [33:2].

And Allāh says, “Say, ‘I am not different from the other messengers, and I do not know what will be done with me or with you. I follow nothing except what is revealed to me, and I am only a clear warner’” [46:9].

And Allāh says, “I have chosen you (for prophethood), So listen to that which will be revealed (to you)” [20:13].

And Allāh says, “I am obliged to say nothing concerning Allāh except the truth” [7:105].

And Allāh says, “And what is there, after truth, but error?” [10:32].

And Allāh says, “I have not said to them anything except what You have ordered me to” [5:117].

And Allāh says, “They said, ‘Do we have any say in the matter?’ Say, ‘Indeed, the matter belongs completely to Allāh’” [3:154].

And Allāh says, “And he does not speak out of desire it is only a revelation revealed [to him]” [53:3-4].

Allāh affirms in regard to the Messenger that he speaks only from the revelation (waḥī) sent to him and follows nothing except what Allāh reveals to him only. So it is entirely baseless for any new sources of deriving rulings to emerge at all. Allāh repeating the order to obey him, the Messenger and the authority indicate nothing other than obedience to the revelation alone. And Revelation is nothing other than the words of Allāh and His Messenger from texts, and this cannot ever change after the passing of the Messenger of Allāh.

Allāh mentioned obedience to His Messenger after he mentioned obedience to Him, so the ignorant cannot claim there is no obedience to the Messenger. If there would only be obedience to the authority the ignorant would say there is no obedience to the Messenger of Allāh except what we hear physically from him, But since we are obliged to obey the authority from the Muslims and also at the same time Allāh and His Messenger the obligation has become clear to adhere to what the scholars narrate about the Messenger of Allāh, Praise be to Allāh.

If they claim, “There remains then no meaning in the verse where Allāh says ‘And if you dispute over anything, refer it to Allāh and the Messenger, if you believe in Allāh and the Last Day” [4:59]

The Verses Regarding The Angels' Usage Of Qiyās Before the Cursed Iblīs

Some of them also claim that the angels used qiyās before Iblīs, the cursed. Because of the verse, "And (remember) when your Lord said to the angels, 'Verily, I am going to place (mankind) generations after generations on earth.' They said, 'Will You place therein those who will make mischief therein and shed blood, while we glorify You with praises and thanks and sanctify You.' He (Allāh) said, 'I know that which you do not know'" [2:30].

This is false because we do not invalidate qiyās because of the reason Iblīs used it, his action is not a ḥujjah whatsoever in anything. And the text does not indicate that the angels said whatever they said because of the reason of qiyās as clarified that taking a lesson (ʿibrah) has nothing to do with qiyās at all, and we clarified before as well that we are only obliged the sharīʿah of Muḥammad and not the sharīʿah of anyone else.

And if this should mean qiyās of their method then Allāh rejected it from them clearly, as Allāh said to them directly after they used qiyās, "I know that which you do not know." Later the angels said, "Glory be to You! We have no knowledge except what You have taught us. You are truly the All-Knowing, All-Wise." [2:32].

The Verses Regarding Transgression On The Sabbath

Some of them mention the story about the Jews who were prohibited from working on the Sabbath, but they schemed to catch fish indirectly that day. They dug pits or set traps on Friday, allowing fish to gather on the Sabbath (Saturday) when they appeared abundantly. Then, on Sunday, they collected the fish, claiming they had not violated the Sabbath directly.

So they say, "They were blamed while they did not do work, so they were obliged to understand by making a qiyās that indirect work was also prohibited, by Allāh's mere prohibition from working on the Sabbath."

This is not a ḥujjah because none of the texts of the Qurʿān and also not in authentic narrations from the Prophet ﷺ indicates that they transgressed by working indirectly, the only thing Allāh, the Exalted, has said about this story in His Book is: "And you had already known about those who transgressed among you concerning the Sabbath, and We said to them, 'Be apes, despised.' So We made it a deterrent punishment for those who were present and those who succeeded them and a lesson for those who fear Allāh." [Al-Baqarah: 65-66]

And He said, "O you who were given the Scripture, believe in what We have sent down confirming that which is with you, before We obliterate faces and turn them toward their backs or curse them as We cursed the Sabbath-breakers." [Al-Nisāʾ: 47]

And He said, "And ask them about the town that was by the sea, when they transgressed in the matter of the Sabbath – when their fish came to them openly on their Sabbath day, and the day they had no Sabbath they did not come to them. Thus did We test them because they were defiantly disobedient." [Al-Aʿrāf: 163]

And He said, "And when a group among them said, 'Why do you advise [or warn] a people whom Allāh is [about to] destroy or

punish with a severe punishment?' They [the advisers] said, 'To be absolved before your Lord and perhaps they may fear Him.'" [Al-Aʿrāf: 164]

And He said, "And when they forgot that by which they had been reminded, We saved those who forbade evil and seized those who wronged with a wretched punishment because they were defiantly disobedient." [Al- Aʿrāf: 165]

And He said, "So when they were insolent about that which they had been forbidden, We said to them, 'Be apes, despised.'" [Al-Aʿrāf: 166]

There is nothing more to it than this, so the claim that they transgressed on the Sabbath by means of indirect work is false as it is a specification without burhān, they instead openly worked not indirectly as the wordings of the solemn promise imply. So it becomes invalid for it to imply any qiyās.

And even if it would be established that they worked indirectly then it is possible that they cast their nets on the night of the Sabbath and collected them on Sunday. The fish were caught and became entangled in the nets on the Sabbath itself. So in reality they violated the commandment of the Sabbath and caught the fish on the Sabbath. So they went against the explicit command of Allāh, which is His saying: "Do not transgress in the matter of the Sabbath," and they indeed transgressed on the Sabbath.

And their Sharīʿah is a Sharīʿah that is not for us.

The Verses Regarding Accusing Women Of Adultery

They mention the verse, "Those who accuse al-muḥṣanāt of adultery˹ and fail to produce four witnesses, give them eighty lashes ˹each˺. And do not ever accept any testimony from them" [24:4].

They say, "This ruling can only be applied also for men because of qiyās."

If it would not be because of decisive evidence from the texts as we will mention it would not apply to men and only for women. The decisive evidence that it also applies for men is that Allāh also meant with muḥṣanāt only the furūj (private parts) of muḥṣanāt. If there are four witnesses then there is no difference of opinion from anyone in the ummah for testimony, that for fornication the only thing that is burdened to be seen is the private part of a man entering the private part of a woman and leaving it and anything other than that seen cannot be used as a testimony from the witness for fornication. So the qādhif (the plaintiff, accusing someone of fornication) that uses anything else as a testimony cannot in that case free himself from the ḥadd that is due on him for this false testimony. So slandering is only for the private parts only.

Ibn ʿAbbās narrated, "I have not seen anything resembling lamam (minor sins) except what Abū Huraira narrated from the Prophet ﷺ that he said, 'Allāh has written for all sons of Ādam his share of adultery which he commits inevitably. The adultery of the eyes is the sight (to gaze at a forbidden thing), the adultery of the tongue is the talk, and the inner self wishes and desires and the private parts testify all this or deny it.'"[244]

So the Prophet ﷺ did not make adultery except for the private part only and annulled it for any other body part. So every body part

[244] Sunan Abī Dāwūd 2152, 3/483

besides the private part is not what is accused for adultery. So when Allāh said, “Those who accuse muḥṣanāt of adultery.”

He meant nothing other than the private parts only. If they say, “Muḥṣanāt is a naʿt (adjective) and a naʿt cannot be alone without also having a manʿūt (subject).” We say: This is a mistake, a claim without certain evidence, the Qurʿān is filled with the opposite of this claim and also poems of the Arabs. Allāh, the Most Exalted says, “Al-ṣā’imīn wal-ṣā’imāt (The fasting men and fasting women)” [33:35].

And Allāh says, “Inn al-muṣaddiqīna walmuṣaddiqāt (Indeed, the men who practice charity and the women who practice charity)” [57:18].

There is naʿt without the manʿūt.

And the poet said, “وَلَا جَاعِلَاتِ الْعَاجِ فَوْقَ الْمَعَاصِمِ”

Meaning, “And not those women who wear ivory above their wrists (as ornaments).”[245]

It mentions the naʿt (adjective) and not the manʿūt (the object that is described by the adjective) no naḥwi ever prevented this. Also if it would be according to them that only women is meant in the verse, they would contradict and it would be against them as there must be a manʿūt also, otherwise they themselves rely on the naʿt, then there remains no value in their argument requiring a manʿūt for the naʿt. Because they say that what is meant is, “Al-nisā’ al-muḥṣanāt.” (The muḥṣanāt women) limiting to naʿt with no manʿūt, making a hadhf for the manʿūt. In any case He made hadhf of the manʿūt and restricted it to the naʿt, there is then no difference in Him, the Most Exalted mentioning al-muḥṣanāt and the hadhf of furūj (private parts) based on our view, or hadhf of al-nisā according to their view. So this opposition is complete invalidated. For our view there is texts while for their false claim that it applies only for women is weak and false as they leave out ḥadd on the qādhif, which is the one accusing someone of adultery, if he accuses slave girls, infidel women, and children. First they claim it

[245] Dīwān Jarīr 2/994

is about women and then leave out the ḥadd for many women. They only rely on Allāh mentioning women and not forsake muḥṣanāt mentioned. Allāh also says, “And We have sent down from the rainy clouds abundant water” [78:14].

From clouds here, what is meant are rainy clouds only, not other clouds. Similarly we mean with muḥṣanāt only the furūj (private parts) of muḥṣanāt only. Takhsīs is not allowed except with evidence from text which we showed before and we will clarify it further by the will of Allāh. The additional evidences that only the private parts is that which is accused for zinā for both men and women besides the ijmāʾ on it, is that Allāh says, “And they who guard their private parts. Except from their wives or those their right hands possess, for indeed, they will not be blamed.” [23:5-6]

And Allāh says, “Tell the believing men to lower their gaze, and protect their private parts.” [24:30]

And Allāh says, “The men and the women who guard their private parts.” [33:35]

So from texts and ijmāʾ we know with certainty without a single doubt that the private parts are what are accused of zinā only. And Allāh says, “And she who guarded (aḥṣanat) her private part.” [21:9, 66:12].

So a farj is a muḥṣan and the one having it is a muḥṣin according to the words of Allāh and His Messenger. And when the Prophet ﷺ said, “Allāh has written for all sons of Ādam his share of adultery which he commits inevitably. The adultery of the eyes is the sight (to gaze at a forbidden thing), the adultery of the tongue is the talk, and the inner self wishes and desires and the private parts testify all this or deny it.”[246]

We know with certainty that what is accused of zinā are the private parts only and that a muḥṣanah is the farj only, not anything other than that. Obligatory ḥadd for zinā is then because of the private

[246] Sunan Abī Dāwūd 2152, 3/483

parts only, not any other body parts such as feet, tongue, ears or the heart. The one accusing the eyes, feet, ears, hands or heart of zinā or any other body part has made a false accusation. So it is only for the private parts only with certainty, without a single doubt. As the verses are also about the private parts only, then men and women are part of the ruling in the same manner.

And there is no difference from anyone from the ummah that there is no qiyās used to apply this ruling for the female qādhifah of her husband for her to do liʿān to the qādhif of his wife by liʿān. If qiyās would have ever been the truth then qiyās on the male qādhif to a female qādhifah would not be more true and more correct than qiyās of a qādhifah wife of her husband to the qādhif husband of his wife for her to do liʿān as well.

Some of them have objected and said, "But Allāh says, 'Verily, those who accuse almuḥṣanāt, unaware, believing women" [24:23]. And Allāh says, "(Forbidden for you are:) Married ones (muḥṣanāt) among women" [4:24]. And Allāh says, 'They (the above said captive and slave-girls) should be chaste (muḥṣanāt), not committing illegal sex, nor taking boyfriends' [4:25]. So how can muḥṣanāt here mean private parts, is it not clear that it has nothing to do with private parts? No one with senses can say, 'Those who accuse the private parts, unaware, believing women.'"

We say: When Allāh said, "Those who accuse al-muḥṣa nāt of adultery," [24:4] he did not specify which and what muḥṣanāt. This word here is general, which cannot be specified except with additional evidence. It is possible that Allāh meant here the muḥṣanāt women as you say, and it is possible that he meant the private parts of the muḥṣanāt in general which encompasses both in general, as we say, making no specification as you do. Private parts are more general than women, claiming specifications is not allowed except with texts. The private parts are also the only thing that are accused for adultery, understanding this and that Allāh said, "And they who guard their private parts" [23:5-6].

And that Allāh said, “Tell the believing men to lower their gaze, and protect their private parts” [24:30].

And that Allāh said, “The men and the women who guard their private parts” [33:35]. And that Allāh said, “And she who guarded (aḥṣanat) her private part.” [21:91, 66:12]

It is then established that the private part is the muḥṣan, and the one having it is a muḥṣin Allāh called it here the object of the verb aḥṣana. And the one doing that does it with nothing other than their private part. If this is understood, then where does it contradict the verses you mentioned? In every single verse you mentioned, Allāh always specifies that it is about the women specifically. We do not negate the possibility that Allāh can specify matters, this is something not rejected by anyone. However in the verse, “Those who accuse al-muḥṣanāt of adultery.” [24:4]

Allāh does not specify anything, this remains general as clarified. As for the claim, “No one with senses can say about verse 24:23 that it means, ‘Those who accuse the private parts, unaware, believing women.’” It is false as the meanings of a word are all taken as long as it is possible. We just clarified the manner of that here: It is established from the previous mentioned verses that muḥṣan was left general and is then indeed farj (private part).

We clarified many times before that a word can have multiple meanings and it is obligatory to use of all of them as long as it is possible, meaning as long as no evidence specifies some. When it is not possible, only that which is possible it used. And since Allāh in the verse, “Those who accuse almuḥṣanāt of adultery,” [24:4] did not specify anything, it is possible to use all of its meanings, including the private parts.

From the other indications that the punishment of qadhf applies to both men and women is that Allāh the Most Exalted said, “Verily, those who like that (the crime of) illegal sexual intercourse should be propagated among those who believe, they will have a painful torment

in this world and in the Hereafter. And Allāh knows and you know not." [24:19]

So we know with certainty that both men and women do qadhf and that for them there is a punishment, for both, the punishment is then mujmal and its mufassar is found in other verses.

And ʿAbdullah narrated, "We were in the mosque one friday night, and a man said, 'If a man finds another man with his wife (having zinā) and [the husband] kills that man, would you kill that husband, and if he speaks (does qadhf of him by accusing him of zinā), will you lash him?' By Allāh I will mention that to the Prophet ﷺSo he mentioned that to the Prophet ﷺ, and then Allāh revealed the Verses of liʿān. After that the man came and accused his wife, so the Prophet ﷺ told them to go through the procedure of liʿān and he said, 'Perhaps she will give birth to a black child.' Then she gave birth to a black child with curly."[247]

[247] Ṣaḥīḥ Muslim 1660 | Sunan Ibn Mājah 2068, 3/218

The Verses Regarding The Meat Of Swine

They claim, “Every single time Allāh and His Messenger prohibited swine, they only mention the meat of swine, not everything from the swine. The only way we can prohibit other parts of a swine is through qiyās, and on this qiyās ijmāʾ exists of the entire ummah.”

The truth is that everything from the swine is prohibited to eat and drink even one hair of it, including its milk, blood and nails. Allāh says, “Say, ‘I do not find within that which was revealed to me [anything] forbidden to one who would eat it unless it be a carrion (maitah) or blood spilled out or the flesh of swine, for it is rijs.’” [6:145]

The pronoun for ‘it’ here returns to the earliest mentioned noun before, which is the swine, not the meat.

And Allāh says, “O those who believe, the truth is that wine, gambling, altar-stones and divining arrows are rijs, a work of Satan. So refrain from it, so that you may be successful” [5:90].

Allāh described here swine as rijs, not only the meat of the swine but all of the swine is then rijs, which means khabīth, and everything that is then rijs must be avoided and it is prohibited to eat it. The noun here to avoid returns to rijs and rijs is what must be avoided, the noun does not mean that we must avoid Satan because we are not able to avoid him, but at the same time rijs is from the actions of Satan which is what we must avoid. And whatever is rijs must then be avoided and swine are one of them, same with khamr, maysir, anṣāb and azlām. The word khinzīr alone in Arabic encompasses both genders, small and large, young and old, from the swines. What is slaughtered for altar-stones is anything what is slaughtered for any ṭāghūt, its meat is prohibited.

The Verses Regarding Justice

They also mention the verse, “Verily Allāh orders justice and the good.” [16:90]

They say, “Justice is making two things equal. And qiyās is making two matters equal in ruling.”

The answer: This is instead among the greatest evidences against qiyās as Allāh did not say that equality alone implies similarity in ruling, and there are dozens if not hundreds of rulings that are similar to other matters, yet are different in ruling, this is from the certain evidences for the falsehood of qiyās it is not from the justice for two matters to be equal merely due to a similarity between them.

It is affirmed that the Prophet said, ‘Horses may be used for three purposes: Then the Prophet was asked about donkeys. He said, ‘Allāh has not revealed anything to me regarding them except this comprehensive Verse, ‘Then anyone who has done good, equal to the weight of an atom (or a small ant) shall see it, and anyone who has done evil, equal to the weight of an atom (or a small ant) shall see it’’ [99:78][248].

If qiyās would have been an evidence then this would have been its place, and qiyās of the donkeys to horses would have been the most appropriate qiyās.

[248] Ṣaḥīḥ al-Bukhārī 4963

The Narration Regarding The Man Repudiating Paternity of His Black Child

It has been narrated on the authority of Abū Hurairah, "A man from banī fazārah came to the Messenger of Allāh ﷺ and said, 'My wife has given birth to a black boy.' He was intending to repudiate his paternity. The Prophet ﷺ said, 'Do you have camels?' He said, 'Yes,' the Prophet ﷺ said, 'What color are they?' He said, 'Red,' the Prophet ﷺ said: 'Are there any dark ones among them?' He said, 'There are some dark ones among them.' The Prophet ﷺ said, 'Where do you think they come from?' He said, 'Perhaps it is hereditary (ʿirq). The Prophet ﷺ said, 'Likewise, perhaps this is hereditary.'"[249]

They say, "The Messenger of Allāh ﷺ used qiyās by recalling what is similar to the situation and instructed the man to give it the same ruling as with camels, as they seem alike. The Messenger of Allāh ﷺ taught qiyās in this narration.

The answer: The truth is that no naṣṣ from the Qurʿān and Sunnah can ever indicate qiyās except if there is a naṣṣ in which it is ordered to rule whatever no naṣṣ covers to return that to a naṣṣ that is similar to it because their ʿillah are similar.

If they say, "Because of this narration we know that the Prophet ﷺ carried this method out."

The answer: This is false, because particulars do not suffice for it to be a general method just as iḥtiyāṭ is false even if there are dozens of texts that Allāh made certain rulings so that we do not fall into other sins none of that means that whatever leads to a sin is prohibited such as the prohibition of approaching zinā, and just the companions are not a ḥujjah even if the Prophet ﷺ consulted them in certain cases, particulars do not ever independently give general method inherently because it is never certain that the reason claimed that it occurred is

[249] Ṣaḥīḥ Muslim 1500

because of that reason, this cannot be concluded from particulars. So this applies in reality to every single naṣṣ they mention from the Qurʿān and Sunnah.

If they say, “For what reason did the Prophet ﷺ make a resemblance?”

The answer: We clarified that examples are not from the chapter of qiyās and that examples enable a person to understand the matter better.

And qiyās is not possible in any situation here because camels are not more entitled to give birth than humans, nor are humans more entitled than camels, and that both species are equal in reproduction and conception, they are both within the same genus equally, so no qiyās is possible whatsoever because of this it is only an approximation of an existing thing to another existing thing which is merely putting forth an example for better understanding and nothing else.

The Narration About The Prophet ﷺ Approving The ‘Qiyās’ Of ʿAmmār

Some of them have mentioned what is narrated that a man came to ʿUmar ibn al-Khaṭṭāb and said, “I became junub but could not find water.” ʿAmmār ibn Yāsir then said to ʿUmar ibn al-Khaṭṭāb, “Do you not remember that we were on a journey, you and I? As for you, you did not pray, but as for me, I rolled in the dust and prayed. I then mentioned this to the Prophet ﷺ and he said: ‘What would suffice for you was to do this.’”[250]

So they claim, “ʿAmmār assumed that the issue with no ruling regarding tayammum for janābah implied that its ruling was the same as that of ghusl for janābah, as tayammum is a substitute for ghusl. The Prophet ﷺ invalidated this qiyās, but he ﷺ did not invalidate the methodology he used, so this affirms qiyās as a methodology if it is used properly and invalidates false qiyās that has no basis.”

The answer: The one saying this does not comprehend what leaves his mouth, because as the Prophet ﷺ then invalidated a qiyās, that qiyās is based on nothing but the method behind it so he invalidated what it is built upon, and it is possible that he said that out of iḥtiyāṭ, it is not allowed to decisively affirm one of the two.

[250] Ṣaḥīḥ al-Bukhārī 338

The Narration Regarding the Sale of Dried Dates for Fresh Dates

They also mention the narration which is narrated on the authority of Saʿd said, "The Messenger of Allāh was asked about (the sale of) fresh dates with dried dates, and he said to those who were around him, 'Does the fresh dates decrease (in weight or volume) when they dry out?' They said, 'Yes,' so he prohibited that."[251]

It is not comprehended from any aspect in this narration to declare taʿlil a pillar whatsoever. There is nothing in this but about the ribā of dates in general, the Prophet ﷺ said, "Do not sell dates for dates, except equal for equal, kind for kind, and the payment being made on the spot; but do sell dates for salt and salt for dates, payment being made on the spot, as you wish."[252]

It is ribā to sell dates for dates except if it is without delay and equal in amount, so the dates must be equal in weight and the Prophet ﷺ inquired wanting to know nothing but if it is equal in weight, which is why he asked if it decreases in size if becomes dry as fresh dates are much heavier in weight, so there is not a single place for qiyās or ʿilal in this.

[251] Sunan Al-Nasāʿī 4546, 7/524

[252] Musnad Al-Shāfiʿī 1394, 3/174

The Narration Regarding Kissing During the Fast

It has been narrated on the authority of Jābir ibn ʿAbdullah, "ʿUmar Ibn Al- Khaṭṭāb said, 'I got excited one day and kissed [my wife] when I was fasting. I went to the Messenger of Allāh ﷺ and said, 'Today I have done a horrible thing, I kissed [my wife] while I am fasting. The Prophet ﷺ said, 'What do you think of rinsing your mouth with water when you are fasting?' I said: 'There is nothing wrong with that.' The Prophet ﷺ said, 'So what?'"[253]

I will emphasize again that there is no narration that can indicate qiyās even if it would be the case that the Prophet ﷺ makes similarities between rulings or compares them. And I will emphasize as well that particulars do not give a general method just as when there is iḥtiyāṭ/sadd al-dharāʿiʾ in some rulings in the Qurʿān and Sunnah, none of that implies prohibiting everything that leads to what is prohibited as a general method. All of this is only revelation from Allāh as Allāh wanted, Allāh never ordered us to use qiyās of their method whatsoever and never clarified its conditions and pillars, by Allāh only if that would exist it would be a valid method and that does not exist anywhere.

Then, as for what specifically happened in this narration then that is also not a ḥujjah for them, ʿUmar thought that the act of kissing breaks the fast based upon qiyās from the prohibition of intercourse. This is because he said, "Today I have done a severe thing." The Prophet ﷺ then told him that even if things are similar or different in some of their attributes, that does not imply that they have to be the same in ruling. The Prophet ﷺ clarified that rinsing the mouth does not break the fast, and if it reaches the throat on purpose, then it breaks the fast. The Prophet ﷺ also clarified that intercourse does break the fast,

[253] Sunan Abī Dāwud 2385

but kissing does not break the fast. This is, in reality, an annulment of qiyās, as there is no similarity between kissing and rinsing the mouth.

If they say, "Maybe the Prophet ﷺ did qiyās from kissing to the act of rinsing the mouth instead of kissing to intercourse."

This is false because according to their method, they do not accept qiyās except when there are two things that share similarity in an attribute between them. We know that kissing is closer to intercourse than rinsing the mouth, as both kissing and intercourse are actions of pleasure. So kissing and intercourse are similar to each other, not rinsing the mouth to kissing. So ʿUmar thought he had committed a sin like intercourse based on the qiyās he had in his mind, believing it to be the same, which is why he told the Messenger of Allāh ﷺ that he had done a severe thing that day. The Prophet ﷺ then only gave an example of rinsing the mouth, intending with it that one must not conclude that rulings are the same just because some attributes between them resemble each other, and when some do not. With this, the Prophet ﷺ separated the rulings on rinsing the mouth, drinking, kissing, and intercourse and concluded that matters resembling each other in some of their attributes do not, in of themselves, imply that they have the same ruling.

If they say, "The Prophet ﷺ did qiyās about what leads to intercourse, which is kissing, and about what leads to eating, which is rinsing the mouth, and that these acts alone cannot break the fasts as both acts do not include what it leads them to in the end, which is either intercourse or eating. When the Prophet ﷺ asked him: 'What do you think of,' this implies that the Prophet ﷺ agreed with ʿUmar using qiyās, as the Prophet ﷺ did not reject ʿUmar using it. The Prophet ﷺ only invalidated his qiyās and corrected it with the correct qiyās. There is a similarity between rinsing the mouth and kissing because they are both ways by which, if the person continues, it leads them to breaking the fasts. For rinsing the mouth, it is eating, and for kissing, it is intercourse."

The answer: There are three claims made, the first claim implies that rinsing the mouth is similar to kissing because both actions supposedly lead to something greater; kissing leads to intercourse, while rinsing the mouth leads to eating. This claim is false. In the majority of cases, rinsing the mouth, whether for wuḍūʾ or other reasons, does not lead to eating, whereas kissing one's spouse often leads to intercourse or other sexual activity. ʿUmar's statement, "Today I have done a severe thing," regarding kissing invalidates the claim that rinsing the mouth and kissing share a similarity due to both leading to either eating or intercourse. As we mentioned before, kissing is closer to intercourse than rinsing the mouth without any doubt, as both kissing and intercourse bring pleasure. So, kissing and intercourse are similar to each other, while rinsing the mouth is not similar whatsoever to kissing. ʿUmar may Allāh be pleased with him mistakenly thought he had committed a sin similar to intercourse based on the faulty qiyās he had in his mind, assuming it to be the same, and he told the Prophet ﷺ that he had done a severe thing that day. It cannot be denied that kissing shares an ʿillah with intercourse, while rinsing the mouth is completely unrelated to kissing, sharing no ʿillah with kissing, it is from their conditions that they take the strongest ʿillah and forsake unrelated. And also, every action that exists can lead to another action. Using the reason of an action leading to something else is then invalid, because everything that exists inherently leads to something else, even if the impact or influence is minimal or insignificant, this is unrelated to qiyās. qiyās is intended to look into matters that share similarity between them while recognizing that there may be dissimilarity between other things so that only those things with the same similarity in a specific attribute receive the same ruling, while other dissimilar things have different rulings. Not a matter that shares similarity with every single thing that exists.

The second claim is that the question of the Prophet ﷺ to ʿUmar, "What do you think of," implies that he must have agreed with the method of qiyās ʿUmar used. This is false, this does not inherently

imply that and the Prophet ﷺ asked many times the question, “What do you think of,” and this never implied inherently that he agrees with every single thing mentioned to him before the question is asked. The Prophet ﷺ also said at the end of the narration, “So what?” The word in Arabic is, “famah,” this word implies reprimanding and an order to abstain. Which is without doubt about the view of ʿUmar including his qiyās. If the Messenger of Allāh would have validated his view which includes his qiyās it implies the belief that kissing the wife breaks the fast is the correct view and no creation of Allāh we know that believes in that.

The third claim is that the Prophet ﷺ invalidated ʿUmar’s qiyās and then used a valid qiyās. From everything we mentioned, it can be concluded with certainty that what the Prophet ﷺ said is not from qiyās, as ʿillah is a pillar of qiyās which has no place in this incident. It is also not possible for the Prophet ﷺ himself to make use of qiyās and not to show some indication towards it, as everything the Prophet ﷺ says is from waḥī. While those who use qiyās claim it is a separate evidence in itself besides Qurʿān, Sunnah, and ijmāʿ. When ʿUmar said, “I kissed [my wife] while I am fasting,” he did not know the permissibility of kissing during fasting. The Prophet ﷺ asked him, “What do you think if you rinse your mouth with water when you are fasting?” And ʿUmar replied, “There is nothing wrong with that.” The question was to indicate a close situation where a person is not far from swallowing water; it was only to make him realize that the only thing that breaks the fast is if water enters the stomach. And that kissing the wife is allowed because of the clarification that nothing other than actually swallowing food or water breaks the fast. Not that kissing the wife is allowed only because of the ruling of rinsing the mouth being allowed, as they both have no resemblance whatsoever. The close situation indicated by the Prophet is also not something we clarified before, about something leading to something else; that is false. So since there is no resemblance between kissing and rinsing the mouth we know that the Messenger of Allāh did not take the ruling of another issue and

applied it to the ruling of kissing during the fast and he also did not take the ʿillah of another issue and apply it to the ruling of kissing during the fast. Given that all of this established no qiyās occurred. Instead, the Messenger of Allāh posed the question to educate him on the principle that similarity or dissimilarity in one aspect does not necessarily warrant the application of the same ruling. If this narration would indicate qiyās it would imply that the Messenger of Allāh only allowed kissing the wife during the fast, only because of the reason that there is nothing wrong with rinsing the mouth, we do not know any creation of Allāh that has uttered such before.

And even if the Prophet ﷺ did take the ruling of another issue, then that is also not a ḥujjah for them as clarified in the beginning. And there is no power or strength except by Allāh.

The Narration Regarding the Debts of Allāh

It has been narrated on the authority of Ibn ʿAbbās, "A man came to the Messenger of Allāh ﷺ and said, 'O Messenger of Allāh, my mother has died [while] she had fasts to observe from the month [of ramaḍan]. Should I complete [them] on her behalf?' Thereupon the Prophet ﷺ said, 'Would you not pay the debt if your mother had died [without her having paid it]?' He said: 'Yes.' The Prophet ﷺ said, 'The debt of Allāh is the most deserving to be paid off.'"[254]

From another ṭarīq it has been narrated on the authority of Ibn ʿAbbās, "A man said, 'O Messenger of Allāh! My father has died and he did not perform ḥajj; should I perform ḥajj on his behalf?' The Prophet ﷺ said, 'Do you not think that if your father owed a debt that you would pay it off?' The man said, 'Yes.' The Prophet ﷺ said, 'The debt owed to Allāh is the most deserving to be paid off.'"[255]

They say, "The Prophet ﷺ guided the people to qiyās about paying off the debts of Allāh from ḥajj on behalf of others because of the reason that it is allowed to pay off the debts of others in matters which are not the debts of Allāh."

The answer: No because Allāh says in the verse of inheritance, "After any bequest which was made or debt" [4:12]. Allāh made debts here general. What Allāh obliges on our wealth is called a debt. And from specific texts certain orders of Allāh are also named debts and that they have the highest priority and are the most deserving to be fulfilled.

The order from the Prophet ﷺ is ʿumūm (general), so it is not qiyās. And what establishes that the order is general is that the Prophet ﷺ said, "The debt owed to Allāh is most deserving to be paid off." The word "debt" was used to indicate the ḥuqūq of Allāh. So fasting and ḥajj are the exact same to property owed to people, making all of them

[254] Ṣaḥīḥ Muslim 1148

[255] Sunan al-Nasāʿī 2639

a debt. And the verse, “After any bequest which was made or debt,” [4:12] clarifies that debts must be paid off in general. And the narrations in this chapter only confirm that pilgrimage and fasting are part of this general ruling of paying off debts.

They say, “If that ruling would be general, then the prayer would also fall under the same category, making it a debt, and the walī of the deceased person who missed prayers would be obligated to make up all the missed prayers on their behalf.”

We say: Yes indeed this would be obligatory without any doubt, if there would exist texts declaring prayers a debt.

They say, “If we were to accept your claim, then there would be no reason for the Prophet ﷺ to inquire about paying off debts from others, and the purpose behind those questions would become meaningless. The answer to the questioner would be limited to a simple “yes” without any further elaboration or inquiry.”

They also say, “It is possible that the debts mentioned in the verse: ‘After any bequest which was made or debt,’ [4:12] refers specifically to property debts and not every single debt in general. Otherwise, everyone would have to wait until every single missed fast is made up for the deceased, and the distribution of their money would have to be delayed until all of that is completed. And if your claim is correct, then why did the Prophet ﷺ not directly refer to the verse instead of using qiyās?”

Their first claim, that the Prophet ﷺ would only say “yes” and not ask the question as it would rule the questioning meaningless, is completely false for two certain reasons. Firstly, it is an example put forth by the Messenger of Allāh, because it is acknowledged that the ʿillah of people having debts does not inherently indicate that the debts of Allāh precede the debts of others. This is something they themselves acknowledge; that this ʿillah is not used at all, and there cannot exist any qiyās without an ʿillah by the agreement of those whose difference is considered. Since we know that there was no qiyās involved, it is only an example put forth. Allāh the Most Exalted says, “Indeed, Allāh

does not feel shy in citing any parable, be it that of a gnat or even something more lowly. Now, as for those who believe, they know it is the truth from their Lord; while those who disbelieve say, 'What could Allāh have meant by this parable?' By this, He lets many go astray, and by this, He makes many find guidance." [2:26]

So it is irrelevant and unnecessary and even prohibited for us to speculate about the reason why he asked the question and affirm a made up reason for it, whether we know it or not does not change that no qiyās took place. The example put forth has benefits; we do not affirm this as the reason, however, it has benefits. It can be an emphasis that ḥajj and ṣiyām are indeed part of the general order of paying off debts and they precede the debts of others. It is not possible to understand anything else from this narration.

Secondly, there are other narrations where the Prophet ﷺ provides the same answers about the debts of Allāh taking precedence over the debts of people, without asking the question. It is narrated on the authority of Ibn ʿAbbās, "Saʿd Ibn ʿUbādah asked the Messenger of Allāh, 'My mother has died and she could not fulfill her vow which she had taken.' The Prophet said ﷺ said, 'Fulfill it on her behalf.'"[256]

And it is narrated on the authority of ʿĀʾisha that the Prophet ﷺ said, "Whoever dies with an obligatory fast on him, then his walī makes up the fast for him."[257]

These obligations are the same as the narrations where it is mentioned that ḥajj and ṣiyām are debts. Those narrations are additional rulings that ḥajj and ṣiyām are also debts and that they take precedence over all other debts owed by the people.

[256] Sunan Abī Dāwud 3307

[257] Ṣaḥīḥ Muslim 1147

The Narration Regarding Ordering Muʿādh to Judge with Raʿī

It is attributed that on the authority of some companions of Muʿādh Ibn Jabal, "When the Messenger of Allāh ﷺ intended to send Muʿādh Ibn Jabal to Yemen, he asked him, 'How will you judge when the occasion of deciding a matter arises?' He replied, 'I will judge in accordance with the book of Allāh.' The Prophet ﷺ then asked, '[What will you do] if you do not find the answer in the book of Allāh?' He replied, '(I will act) in accordance with the sunnah of the Messenger of Allāh ﷺ.' The Prophet ﷺ then asked, '(What will you do) if you do not find the answer in the sunnah of the Messenger of Allāh ﷺ and in the book of Allāh?' He replied, 'I will do my best with my Raʿī.' The Prophet ﷺ then patted him on the breast and said, 'Praise be to Allāh Who has helped the messenger of His Messenger to find something which pleases the Messenger of Allāh.'"[258]

This Ḥadīth attributed to the Prophet ﷺ is weak, al-Ḥārith Ibn ʿAmr is unknown (majhūl), and the companions of Muʿādh are all are also all unknown.

Some ignorant people claimed that al-Ḥārith Ibn ʿAmr, because his lineage is known, that he is the son of his brother al-Mughīrah Ibn Shuʿbah.

This is false and not a tawthīq.

And ibn al-Qayyim mentioned another ṭarīq to the narration but did not bring the complete isnād so it is not a ḥujjah in any case, the full isnād for what he mentioned is weak[259] because there is in it Muḥammad ibn Saʿīd Ibn Ḥassān who is a weak liar and got crucified for his zandaqah.

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[258] Sunan Abī Dāwūd 3592

[259] Sunan Ibn Mājah 55 | Al-Abāṭīl 102, Tārīkh Dimashq 16/310

There is another ṭarīq of this narration applied by Ibn ʿAsākir[260].

This is weak as al-Shadhakūnī is a liar.

And some ignorant said, “How [could it be weak] when Shuʿbah, who is the leading figure in the narration of Muʿādh, and some scholars of ḥadīth have remarked, ‘If you see Shuʿbah in the chain of narration, then hold on to it tightly. Whoever places Shuʿbah between him and Allāh has obtained certainty in evidence for his religion.”

This is a mere claim without any evidence.

[260] Tārīkh Dimashq 16/310 | 7481, 58/411

The Narration Regarding Milking an Animal Without the Permission of Its Owner

It is narrated on the authority of Ibn ʿUmar, "The Prophet ﷺ said, 'An animal must not be milked without the permission of its owner. Would any of you like it if someone would come to his store, break his container and take away his food? The udders of the animals are the stores of their owners where their provision is kept, so nobody should milk the animals of anyone else, without the permission of its owner.'"[261]

They say, "This narration affirms qiyās and a similarity between issues. The Prophet ﷺ used qiyās from the udders of the animals to the stores where provision is kept and others. And he made milk which is in the udders similar to food which is kept as provision, with the meaning that it is not allowed to take from it without permission."

This narration does not indicate any qiyās, because the Prophet ﷺ in this narration first prohibited milking without the permission of the owner, then he asked us if we would like if someone would come to our store and break our containers and take away our food. This is the Prophet ﷺ directly including an issue to a general ruling. Because it is not allowed to take property from a Muslim except with his permission in general. Then the Prophet ﷺ told us that the udders of the animals are the stores of their owners where their provision is kept and that nobody must take milk of others without the permission. This is still nothing other than the Prophet ﷺ placing the issue within the general order of not taking property from Muslims in general. The Prophet ﷺ asking such questions enables us to understand it easier that this issue is indeed part of a general order, it is only as a taʿkīd.

[261] Ṣaḥīḥ Muslim 2303

There is no ruling that is moved from one situation to another, both situations the Prophet ﷺ mentioned: milking without permission and breaking containers and they are both from the same category of taking without right. And as that is the case the example the Prophet ﷺ presented is only an emphasis and milking did not become prohibited because of the reason mentioned, this is very evident, and all praise is for Allāh.

The Narration Regarding the Reward of Permissible Intercourse

It is narrated on the authority of Abū Dharr said, "Some people said to the Messenger of Allāh ﷺ, 'The rich have taken away all the rewards. They observe prayers as we do and give ṣadaqah out of their surplus wealth. Upon this the Prophet ﷺ said, 'Has Allāh not prescribed for you a way, by which you can also give ṣadaqah?' In every tasbīḥ, takbīr, taḥmīd, tawhīd is a ṣadaqah, and in enjoining of good is a ṣadaqah, and in forbidding evil is a ṣadaqah, and in buḍ' (sexual intercourse) with the spouse, there is a ṣadaqah.' They said, 'O Messenger of Allāh, is there reward for him who satisfies his sexual need among us?' The Prophet ﷺ said, 'Tell me, if he were to satisfy it with something forbidden, would it not be a sin on his part? Similarly, if he were to satisfy it with what is permissible, he would be rewarded.'"[262]

They say, "There is evidence in this narration for the validity of qiyās al-ʿaks. The Prophet ﷺ established a contrasting ruling for the permissible act of the farʾ, in this case, referring to lawful intercourse, opposite to the aṣl, associated with forbidden intercourse. This distinction arises due to the presence of a conflicting ʿillah within the ḥukm which is prohibition of the aṣl (forbidden intercourse). The Prophet ﷺ acknowledged the farʾ with rewards, recognizing its status as permissible intercourse, while concurrently emphasizing the aṣl as transgressing due to its prohibition."

This is false because there is no doubt that permissible intercourse being rewarding is not like that inherently because of the existence of prohibited intercourse. We have already said that even if the Prophet ﷺ did take a ruling from another issue then there is not in that making it a general method, because this instead invalidates their

[262] Ṣaḥīḥ Muslim 1006

method because him taking the opposite here did not ever imply making opposites a consistent pattern in deriving rulings at all.

The Narration Regarding a Man Asking Permission to Fornicate

Some of them mention the narration of Abū Umamah, "A young man came to the Prophet ﷺ and said, 'O Messenger of Allāh! Give me permission to commit zinā.' The people surrounded him and rebuked him, saying, 'Stop! Stop!' But the Prophet ﷺ said, 'Come close.' The young man came to him, and he ﷺ said, 'Sit down.' So he sat down. The Prophet ﷺ said, 'Would you like it (unlawful sex) for your mother?' He said, 'No, by Allāh, may I be ransomed for you.' The Prophet ﷺ said, 'Neither do the people like it for their mothers.' The Prophet ﷺ said, 'Would you like it for your daughter?' He said, "No, by Allāh, may I be ransomed for you." The Prophet ﷺ said, 'Neither do the people like it for their daughters.' The Prophet ﷺ said, 'Would you like it for your sister?' He said, 'No, by Allāh, may I be ransomed for you.' The Prophet ﷺ said, 'Neither do the people like it for their sisters.' The Prophet ﷺ said, 'Would you like it for your paternal aunt?' He said, 'No, by Allāh, O Allāh's Messenger! may I be ransomed for you.' The Prophet ﷺ said, 'Neither do the people like it for their paternal aunts.' The Prophet ﷺ said, 'Would you like it for your maternal aunt?' He said, 'No, by Allāh, O Allāh's Messenger! may I be ransomed for you.' The Prophet ﷺ said, 'Neither do the people like it for their maternal aunts.' Then the Prophet ﷺ put his hand on him and said, 'O Allāh, forgive his sin, purify his heart and guard his chastity.' After that the young man never paid attention to anything of that nature."[263]

This is not a ḥujjah for them because zinā is not prohibited because of the reasons it is disliked for the sister, mother, maternal aunt and paternal aunt. And there is no qiyās in prohibiting something because of disliking it. And as clarified before it is not possible to use

[263] Musnad Aḥmad 22211

a qiyās from an aṣl to another aṣl, and there is no farʾ here moved back to any aṣl, because there is no difference of opinion that zinā with the sister, mother, maternal aunt and paternal aunt is all prohibited by a naṣṣ. These types of examples presented are only to emphasize and to reflect.

The Narration Regarding Women Being the Counterpart of Men

It is narrated on the authority of ʿĀʾisha, "The Prophet ﷺ was asked about a person who found moisture (on his body or clothes) [after waking up], but did not remember having a sexual dream. The Prophet ﷺ said, 'He must take perform ghusl. Then he was asked about a person who remembered that he had a sexual dream but did not find moisture. The Prophet ﷺ said, 'Ghusl is not necessary for him.' Umm Salamah then asked, 'Is washing necessary for a woman if she sees that (in her dream)?' The Prophet ﷺ said, 'Yes. Women are counterpart (shaqā'iq) of men.'"[264]

This is weak as it is not free from ʿAbdullah Ibn ʿUmar Ibn Ḥafṣ Ibn ʿĀṣim Al-ʿUmari, and he is not a thiqah.

[264] Sunan Abī Dāwud 236

Can the Qurʿān and Sunnah Alone Cover all Rulings

They say, "Qiyās must be used in order to cover new occurring issues."

The answer: This is not a conclusion built from any valid premise. Whatever Allāh and his Messenger ordered is obligatory, and whatever they prohibited is ḥarām and whatever they did not order and did not prohibit then it is permissible (mubāḥ) unrestrictedly. The clarification has preceded of the obligation of taking from the words of the Qurʿān and Sunnah and also what exactly dalīl is, whatever new occurring issue is encompassed by these then it the order of the naṣṣ reaches it and it is then obligatory or ḥarām, and as long as it does not reach it then that matter is unrestrictedly permissible. And none of this is qiyās whatsoever, this is nothing other than the ʿaql. A word that is general, everything that comes under it, all of that is nothing other than that general word itself, that general word (genus/jins) is nothing other than what comes under it.

And as for them saying that qiyās is needed for what is not covered by what we mentioned, then this is false Allāh said, "Say, 'If I go astray, I go astray only to m y own loss; but if I am guided, it is by what my Lord reveals to me; He is indeed All-Hearer, Ever Near (to all things).'" [34:50]

And Allāh said, "This day I have completed for you your religion." [5:3]

And Allāh said, "We have neglected nothing in the Book." [6:38]

And Allāh said, "And We revealed to you the message [i.e., the Qur'ān] that you may make clear to the people what was sent down to them." [16:44]

And the Prophet ﷺ said, "O Allāh I have conveyed."[265]

[265] Ṣaḥīḥ al-Bukhārī 1739

The entire religion is mansūṣ, all new issues are encompassed by the words of the Qurʿān and Sunnah through the correct methods clarified and whatever that does not encompass then it is allowed, there is no other category possible.

If they say, "We do not reject Allāh and his Messenger did not neglect anything in the book, what we say is that the understanding the naṣṣ is of two types, either the naṣṣ indicates it directly by its words and the second is dalīl which is alerting the ʿillah of the ruling then wherever that ʿillah is found it is ruled with that, this is from the comprehensive words (jawāmiʾ al-kalim) with which the Prophet ﷺ is sent with."

This is a mere claim, not built by valid premises, this dalīl they mention is only as we clarified in its chapter and nothing more than that, this dalīl is either something placed in the language in which we are addressed and in which the Qurʿān is revealed and from this and from this is what the exact naṣṣ indicates, taking the words upon their generality and dalīl in the manner clarified before. Then as for what is not placed in the language, then it is mere deception and falsehood for which is no evidence. And qiyās is not part of this at all.

Jawāmiʾ al-Kalim is nothing other than concise words that express/encompass meanings and nothing that the word means is left out when it is used which is our way taking generality and from dalīl not theirs whatsoever.

That is such as the verse, "So whoever has assaulted you, then assault him in the same way that he has assaulted you." [2:194]

Under this wording comes amputating the body parts in the same manner and causing wounds in the same manner and taking property in the same manner and the remaining things this meaning necessitates.

But as for the one that invalidates meanings it intends, or the one that intends to make it indicate something which its place in the language does not indicate, then this is the action of satan that intends

to corrupt the religion and confuse the Muslim, not the action of the Lord of Everything and the seal of the Prophets.

If they say, "We do not say that there are new occurring issues not covered by the Qurʿān and Sunnah, but we say some rulings of it exists by naṣṣ and some by dalīl."

Yes and this dalīl is only that which can have one possibility and that is the dalīl we clarified in its chapter. And if that dalīl has two or more possibilities then this divides into two: Either there is another naṣṣ clarifying what Allāh intended from those two possibilities, then this is our saying. And if there is no other naṣṣ clarifying one of the two possibilities then that is a problem, and no one is allowed to attribute such to the religion of Allāh.

If they say, "Show us all new occurring issues being covered by the Qurʿānd and Sunnah."

The answer: We are certain that Allah clarified to us every single ruling that will occur till the day of judgment. Then how when we will bring them a naṣṣ in which is every single new occurring issue till the day of judgment, and that is the authentic narration in which the Prophet ﷺ said, "Leave me with what I left you, for those before you only became ruined by their frequent questioning and their differences from their Prophets. So when I order you then do from it what you are able to, and when I prohibit you from something then avoid it."[266]

So it is established that whatever the Prophet ﷺ did not come with, then it is not obligatory because he ﷺ did not order in it and for it anything and it is not ḥarām as he did not prohibit that thing at all. So it is then permissible and whoever claims that thing is then prohibited must bring a prohibition for it from the Prophet ﷺ and if he does not then his claim is false. So there is no ruling in the religion except that it must come from the Prophet ﷺ.

There are two places those who believe in qiyās cannot escape:

[266] Ṣaḥīḥ Muslim 1337, 412

The first is that they claim that a resemblance between the new occurring issue and a ruling in the naṣṣ obliges the same ruling for that new occurring issue. This is false because there is never any way for any evidence that a resemblance obliges the same ruling, then how when there are hundreds of rulings that resemble each other in an aspect and are all different and how when there are other aspects for that new occurring issue that resemble another ruling different than the one they are comparing it to.

The second is that they claim that an ʿillah of a ruling of the naṣṣ can gather the new occurring issue. Then this is also false because this ʿillah is what they create themselves and it is a mere assumption of them for which is never any decisive evidence from the Qurʿān and Sunnah. And there is never any decisive evidence that an ʿillah gathering both must necessitate the same ruling.

If they say, "A similarity being consistent or an ʿillah that is consistent indicates its validity."

This is false because this requires evidence that consistency itself inherently indicates validity for which is no way to.

If they say, "New emerging issues will never cease to exist, they are infinite, while nuṣūṣ come to an end and are finite so we must need qiyās."

The answer: This is also not a conclusion derived from a correct premise because we are not tasked with this and whatever is not encompassed by what we mentioned before is in general permissible. And by this they acknowledge that qiyās is also not enough because qiyās is also not infinite, so they have to create new methods the entire time seeking to achieve something not tasked, not ordered at all by Allāh and his Messenger.

And we say to them: Is you affirming qiyās not anything but attempting to rectify what you believe Allāh and his Messenger left? How can this be when Allāh said, "And your Lord is never forgetful." [19:64]

And He said, “O you who have believed, do not put [yourselves] before Allāh and His Messenger.” [49:1]

And Allāh said, “And in anything over which you disagree, then its ruling is to Allāh.” [42:10]

All that we mentioned before invalidates qiyās by dalīl

As for the nuṣūṣ that invalidate qiyās by naṣṣ, Allah said, “And Allah has not made your wives whom you declare ẓihār from into your mothers, nor has He made your adopted sons your sons. That is merely your saying with your mouths. And Allah says the truth, and He guides to the right path. Call them by their fathers; that is more just in the sight of Allah.” [al-Aḥzāb 33:4–5]

And Allah the Exalted said, “Their mothers are none but those who gave birth to them, and indeed they are saying an abominable statement and a lie.” [al-Mujādilah 58:2]

So Allah denied and rejected anyone making his mother other than the one who gave birth to him, or making his son other than the one whom he begot. Yet Allah has made our mothers those who did not give birth to us, such as the wives of the Prophet ﷺ and those women who nursed us, and He has made our sons those whom we did not beget, such as our relation to the wives of the Prophet ﷺ, and like those whom our women nursed with our milk. So it is established by naṣṣ that when Allah the Exalted rules with something, it becomes binding without claiming an ʿillah for the rulings. And whoever wishes to rule with something similar in matters for which there is no naṣṣ has uttered an abominable statement and a lie. And no one has the right to say anything other than what Allah the Exalted has said. And in this there is sufficiency for the one who reflects. All of us make the wives of the Prophet ﷺ our mothers in the aspect of the prohibition of marrying them as the text has stated and nothing more. Then there is no qiyās from that about the permissibility of seeing them, as we see our own mothers; that is prohibited for us. And we do not make qiyās of their brothers and their sons to the states of our own kinship and our own siblings. Instead, it is permissible for them to marry the women of

the Muslims, and it is permissible for the men of the Muslims to marry their sisters and their daughters. So the ruling of qiyās is entirely false, and the obligation of only taking the naṣṣ is established.

And it is narrated that the Prophet ﷺ prohibited wearing silk for men. But then he ﷺ gave ʿUmar silk clothes. So ʿUmar said, "O Messenger of Allāh, you have sent it to me, whereas you had said yesterday about the (silk) garment of ʿUṭārid what you had to say (when he prohibited wearing silk)." The Prophet said, "I have not sent it to so that you can wear it, I only sent It to you so that you may derive benefit out of it."[267]

There is in this our exact method of taking from the apparent, not transgressing the exact words as they came. In this narration is the falsehood of Qiyās because ʿUmar wanted to move the ruling mentioned regarding wearing it to other ways of benefiting from it. Then the Prophet told him that it is false. There is also in this that the ruling of the Prophet ﷺ on something applies to everything under the category of that thing. Because he ﷺ only applied his words for 'silk clothes' which ʿUṭārid sold. Then he explained that that ruling applies to all silk clothes and clarified that that ruling does not transgress to any types other than clothing; this is naṣṣ indicating our method, of taking the general rulings and invalidating all qiyās.

And also the saying of Allāh, "Do not say [to Allāh's Messenger]' Rāʿinā' but say, 'Unẓurnā' and listen. And for the disbelievers is a painful punishment." [2:104]

This invalidates qiyas and ʿilal and there is in this verse our exact method because they were prohibited from saying 'Rā'inā,' and ordered to say 'Unẓurnā,' both meanings of the words are the same in meaning. So this invalidates qiyas entirely and obliges taking from the apparent as it came. The corrupt method of those who oppose is that the purpose of an order must be sought so that everything close to that takes the same ruling, which is going against the zahir. Allah ordered

[267] Ṣaḥīḥ Muslim 2068, 3/1639

them with a word of the same meaning, so their method is then invalid and ours is valid on taking from the zahir as it came without transgressing.

And Allah said, "And do not say regarding those who are killed in the Way of Allah, 'They are dead,' Nay, they are living but you perceive not." [2:154]

From what is perceived, those that are killed in the way of Allah are similar to others that die in every single aspect. So those who believed that those who were killed in the Way of Allah only believed it based on their qiyās of this to the one that is not killed in the Way of Allah, because of an 'illah that encompasses these two. So there is no qiyās that is more clear than this and no qiyās more accurate in ʿillah than this, and while that was the case Allah declared it false, and made a clear difference between the one killed in the Way of Allah and the one not killed in the Way of Allah. Allah described those killed in the Way of Allah as alive with their Lord and that they have provision and prohibited calling them dead.

And from the decisive evidences on the falsehood of qiyās is that they concur, all of them, that the entire Sharīʿah, from the first to the last is taken by naṣṣ. And all of them acknowledge without difference from any of them acknowledge that it is not possible to take all of the Sharīʿah by qiyās at all. And it is established in the ʿaql that what necessitates the complete thing necessitates some. So the entire Sharīʿah cannot ever be taken by qiyās, then some of it can also not be taken by qiyās. This is a decisive evidence from the ʿaql, just as humans are alive and utter, so each one of them is alive and utters.

And also another decisive evidence on the falsehood of every single qiyās is that those who affirm qiyās argue that this issue resembles such-and-such issue, and that it is because of that obligatory to judge it with the same ruling, then the one who opposes him seeks out a characteristic in the issue that his opponent likened to the other issue, which resembles a third issue. This obliges him to judge that

third issue as well with the same ruling. This is a matter found throughout all of their issues, from the first of them to the last.

They also say, "If Allāh makes something as the reason for any ruling, that ruling applies in any issue where that reason is found."

They say, "An example for that is the saying of the Prophet ﷺ when he prohibited slaughtering with the teeth, the Prophet ﷺ said regarding its prohibition, 'It is because the teeth is a bone.'[268] So every single bone is prohibited to use for slaughtering. Another example is when the Prophet ﷺ said regarding a rat stepping in to fat, 'If it is in liquid state (opposite of solid), then do not go near it.'[269] It being in a liquid state is made as a reason not to come close to it, so whenever anything liquid is found with najāsah mixed in it, it is then obligatory not to come near it."

Whatever has no nuṣūṣ, it is then not allowed to say about anything of it that the ruling of it is because of such and such reason. Allāh does not do anything from the aḥkām and also not anything other than the aḥkām for a specific reason. If Allāh or his Messenger ﷺ say regarding a matter that it is because of a reason (sabab, min ajli, liʿanna, li). Then nothing is known from this except that Allāh made those reasons specific for the naṣṣ it is mentioned in. It does not imply using those reasons for any other ruling except for where Allāh and his Messenger ﷺ, there is no evidence from necessity, ʿaql, Qurʿān and also not the Sunnah for moving that reason in another place.

Every single bone, using other than the teeth is allowed for slaughtering. If slaughtering with any bone would be prohibited as they claim, then the Prophet ﷺ would not limit it to the point of mentioning teeth only. To reach the same conclusion as them on prohibiting slaughtering with any bone, the nuṣūṣ would have to have the meaning, "Whatever item makes the blood flow and jugular vein cut from animals, then eat it as long as it is not a bone or a nail."

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[268] Ṣaḥīḥ al-Bukhārī 5503

[269] Ṣaḥīḥ al-Bukhārī 5539

There is also no doubt that if it would be the case that any bone is prohibited to use for slaughtering then there would remain no meaning at all in mentioning one type of bone from the thousand types of bones which is in this case teeth. It would be instead deception, not clarification. It is then known with certainty that bones are not prohibited from using in slaughtering's except for teeth only, the same is the saying for the other narrations they mentioned without any difference.

Those who oppose us in this are in severe contradiction in the mentioned narrations. Because the Prophet ﷺ in the same narration also said, "As for the nail, it is a knife from ḥabashah."

It becomes necessary on them, when they made the saying of the Prophet ﷺ, "Because it is a bone," a reason to prohibit any bone from using in slaughtering, to then also make the saying of the Prophet ﷺ, "As for the nail, it is a knife from ḥabashah," a preventative for using any knives from ḥabashah while this is something none of them say. They instead limit it to the point of prohibiting slaughtering with the nail only.

Allāh says, "These are the limits (rulings) of Allāh, so do not transgress them. And whoever transgresses the limits of Allāh - it is those who are the wrongdoers" [2:229].

What is only correct is that any tooth and any nail is not allowed to be used for slaughtering whether they flow the blood or if they do not. Whatever is other than them from bones and ḥabashī knives are all allowed to be used for any slaughtering.

It is narrated on the authority of Anas, "Once we waited for the Prophet ﷺ till it was midnight or about midnight. He came and led the prayer, and after finishing it, he addressed us and said, 'All the people prayed and then slept and you had been in prayer as long as you were waiting for it.'"[270]

[270] Ṣaḥīḥ Al-Bukhārī 575, 1/216

The Prophet ﷺ made waiting for the prayer, to be the same as being in prayer and made waiting for the prayer to be a choice for delaying ʿatamah (the ʿīshāʾ prayer). So as long as someone waits for ʿatamah prayer which is the ʿīshāʾ prayer, he is in prayer. According to their method this would apply for prayers other than ʿatamah prayer such as ʿaṣr and maghrib. They do not apply this ʿillah for the choice of delaying ʿaṣr and maghrib.

They also argue with the saying of Allah the Exalted, "So that there may be no hardship upon the believers concerning the wives of their adopted sons." [al-Aḥzāb: 36]

This is not a ḥujjah, because it is a clear, explicit text indicating that the Prophet ﷺ married the wife of Zayd after he had adopted him. And we are ordered to follow him ﷺ in declaring permissible whatever he declared permissible and in declaring prohibited whatever he declared prohibited. So his ﷺ marriage to her would necessitate for us the permissibility of the wives of those who were adopted in the pre-Islamic period, apart from adoption by actual birth. But adoption itself has been abrogated altogether. What we say is naṣṣ of the verse. If it had been an ʿillah as they claimed, then it would have been obligatory for every person to marry the wife of his adopted son, without exception. Since this has never been the case, their assumption falls away that the marrying of Zaynab, the Mother of the Believers, to His Messenger ﷺ was an ʿillah for what they sought to justify by their taʿlīl.

And they mention the saying of Allah the Exalted, "Whatever Allah has restored to His Messenger from the people of the towns belongs to Allah, to the Messenger, to near relatives, to orphans, to the poor, and to the traveler, so that it does not become a means of circulation among the rich among you." [al-Ḥashr: 7]

This is not a ḥujjah for them at all. The discussion regarding this verse is exactly the same as the discussion regarding the verse we mentioned previously, with no difference whatsoever. That is because there are many forms of wealth that re not distributed in this manner, but are distributed according to another arrangement. If the ʿillah for

the distribution of what Allah the Exalted restored to His Messenger ﷺ was only that it must not circulate among the rich, then this would also have to be the ʿillah in the distribution of all other forms of wealth, from war booty (ghanīma) and others, in the same way. Since this is not the case, what they imagine is invalid. It is established that Allah intended, in what He restored to His Messenger ﷺ from the people of the towns, that which was not obtained through the exertion of horses or camels specifically that that must not circulate among their rich. So, this ruling is not extended beyond this case, except where Allah the Exalted has also explicitly stated it, such as in the distribution of one-fifth of the war booty, and nothing other than that.

So when a reason is mentioned for rulings in the Qurʿān and Sunnah, it never necessitates that that reason is used for a place other than where it is together with that ruling.

We say to those who say, "The aḥkām of the sharīʿah has come all with ʿilal."

We say: Tell us about these ʿilal which you believe in: is it from the actions of Allāh and from his rulings? Or is it from the actions of other than him and rulings of other than him? Or is it not from the actions of Allāh and also not from the actions other than Allāh? There is no fourth possibility.

If they say, "It is from the actions of other than Allāh and from the rulings of other than Allāh," if they hold this view they believe in a creator other than Allāh and a creator of rulings other than Allāh, and make that creator something which obliges Allāh to do that which that creator does.

And if they say, "It is not from the actions of Allāh and also not from the actions from other than Allāh," then they believe that there are matters in the creation that do not have a creator, or they are rulers above Allāh with that and that they make the ḥalāl, ḥarām, farḍ and judge above Allāh the Most Exalted, this is nothing but kufr and the method of the atheists.

If they say, "It is indeed from the actions of Allāh."

We then say: Tell us about it, is it something Allāh did because of an ʿillah or for something other than an ʿillah?

If they say, "Allāh did it because of a reason other than for an ʿillah," they have departed their false method and acknowledge that Allāh does not do things for an ʿillah.

It is said to them: What is that which obliges the aḥkām to exist because of ʿilal, while the first actions which are the ʿilal for the aḥkām are not because of ʿilal. This is a claim without any certain evidence.

If they say, "Allāh did it because of another ʿilal," they are asked again about those ʿilal the same way they were asked about it before and in that manner forever.

There are only two choices for them with no third to it: they either acknowledge that the actions of Allāh are done without there necessarily being an ʿillah for it, and if they acknowledge this, they abandon their false method. Or they continue believing in ʿilal which leads them to the belief in actions which have no ending to them and actions that have no beginning which is kufr.

We do not reject the existence of reasons for some rulings, we instead affirm it and say by it. And these reasons must only remain where Allāh or his Messenger placed them to be at and it is not allowed for anyone to transgress by using them for any other issue, they must stay wherever they are placed from by nuṣūṣ as clarified before. That is ruling without evidence.

Such as when Allāh making the kufr of the kāfir at his death a reason for him to enter jahannam for eternity. And Allāh making death on īmān a reason to enter jannah for eternity. And that stealing with certain conditions become a reason for the occurrence of amputation of the hand. And for slandering with certain conditions being a reason for there to occur lashing. And fornication with certain conditions fulfilled being the reason for the occurrence of stoning or lashing. And like this we affirm any reason as it is mentioned and reject anything that is not mentioned.

We do not say that all of the sharāʾiʿ is because of a reason, we instead say: None of it is because of a reason unless there is naṣṣ for the reason. Whatever is besides that it is only ordained by Allāh as he willed it to be as he does whatever he wills. And it is not allowed for anyone to make ḥalāl, ḥarām nor oblige by claiming reason which do not belong in their place and we also do not add anything and do not decrease anything from the nuṣūṣ because of it.

We do not say anything except for what Allāh and His Messenger have said. We do not transgress it in any way possible and we do not leave out anything they have said. This is the religion which no one is allowed to oppose, there is no valid belief other than this.

Allāh, the Most Exalted said, "He cannot be questioned as to what He does, while [only] they will be questioned." [21:23]

Allāh tells us about a difference between us and him alone. That there does not exist for his actions any questioning such as, 'Why?' and 'How?' Since it is not allowed for us to ask him about anything including his aḥkām for anything, then all asbāb become completely false, as it is impossible to acquire that knowledge, except for what Allāh and his Messenger ﷺ have said or done and mentioned the reason for it, which also that which must not be asked about.

It is not allowed for anyone to ask, "Why was this reason made for this ruling and not the other ruling?" It is also not to say, "Why was this made a reason while the other rulings do not have the same reason mentioned for their rulings while they seem similar?" Whoever asks such a question disobeys Allāh as he opposes the words of Allāh the Most Exalted, "He is not asked about what He does" [21:23].

Whoever asks Allāh about what he does is a sinner Allāh also said, "[Only] they will be questioned." [21:34]

This is a clear clarification that it becomes obligatory to negate all ʿilal from Allāh by necessity. It becomes not allowed and impossible for anyone to ask about anything he does. We oblige the question to anyone who claims anything, "Where did you get this from?" If he clarifies that his view is exactly as Allāh or His Messenger

said, we oblige obedience to it, and it is then not qiyās nor an ʿillah as clarified in detail. If he does not bring anything from the exact words of Allāh and His Messenger regarding that which he uttered, his view is thrown to the wall, his matter is rejected, not accepted and no one is pleased with it.

Know now that ʿilal are all negated from the action s of Allāh and from all his aḥkām with the meaning that something obliging Allāh on all of his actions and His rulings because there is no ʿillah binding in this manner except the one that is coerced. And know that asbāb/reasons are also all negated from the actions of Allāh and from all his aḥkām except what he states himself from in the nuṣūṣ or his Messenger, that is the only way to know that Allāh did or made a ruling for a certain reason. There is no sabab and no gharaḍ from other than he mentioned himself at all, and no additional sabab or gharaḍ, for the reasons he mentioned. Allāh says, "He cannot be questioned as to what He does" [21:23].

The evidences for that is that sabab and gharaḍ are either of three with no fourth to it. They are either created by Allāh, or they are uncreated by anything, or they are created by other than Allāh. Whoever says they are uncreated with no origin apostates, because he makes a thing in the heavens and earth that does never cease. And whoever says they are created by other than Allāh, apostates as well, because he makes a creator other than Allāh.

It is then established that they are creations of Allāh. There is certain evidence that everything other than Allāh is created by Allāh, It is then also known that gharaḍ and sabab are then created by Allāh and there is now also only two options, with no third to them. Either creating them was also due to a sabab or gharaḍ, or it was not due to another sabab or gharaḍ. If it would be the first that it being created is also due to a sabab or gharaḍ then it becomes necessary it becomes that for their creation there was another sabab or gharaḍ, and so on till the affirmation of amounts and creations that have no ending for them, and this is kufr. If Allāh would make them not for a sabab and also not a

gharaḍ, which is our view, then it can only with that be affirmed that Allāh made it however he wills, with there not being any follow up to his actions and aḥkām. Only if sates it himself only that he did it for a gharaḍ which he wanted or for a sabab, it is affirmed. As for when it is not mentioned then we are certain that Allāh did it however he wanted it to be, not bound to a sabab and also no gharaḍ, and it is a lie to affirm it in such cases. If it would not be for nuṣūṣ that mentioned a sabab and gharaḍ specifically it would not be ever allowed for anyone to say, "Allāh did this and this for this sabab," and also not allowed for anyone to claim that Allāh wanted it to be that way. Allāh says, "These are the limits (rulings) of Allāh, so do not transgress them" [2:229].

They say, "A wise person among us will do anything for an ʿillah, so Allāh the All-Wise must then also be in that manner. And the foolish among us does something for no reason."

This is a mere claim without evidence and this is only based on making themselves similar to Allah while Allāh declared this false as He said, "There is nothing like him." [Al-Shūra: 9]

How is this type of false argumenting any better than the one that says, "As Allāh is different from us it must mean that as we only do for reasons that Allāh does nothing for a reason."

Both are false and claims about Allāh what he has not said about himself.

The wise among us is only wise (ḥakīm) because of him obeying the orders of Allāh and him abandoning His prohibitions, this is the reason that obliges upon the wise among us not to do anything except for benefit that benefits his hereafter or for avoiding the harm for his hereafter.

As for Allāh He never ceased being One with nothing with him and nothing arranged him before Him. So for Allāh was no arrangement obliging him to do actions upon an description without other descriptions. He instead does as He wants. And He did not do what he did not do as He did not want. So them resembling the wise among us with the actions of Allāh is false.

As for their statement that Allah does things for the benefit (maṣāliḥ) of His servants, Allah has declared them false by His saying: ‘We send down from the Qurʾān that which is a healing and a mercy for the believers, but it increases the wrongdoers in nothing except loss.’ [al-Isrāʾ 82]

So I wonder what benefit is there for the wrongdoers in the sending down of that which only increases them in loss? There is nothing in that for them except the greatest harm and the most severe corruption. It would have been more beneficial for them had it not been sent down at all, and Allah the Exalted did not intend any benefit for them by it whatsoever.

Allah did not send Mūsa for the benefit of Pharaoh or for his good, nor did He send Muhammad ﷺ for the benefit of Abū Jahl or for his good. Instead for their harm and for the ruin of their Hereafter and their worldly life. And likewise every disbeliever, if Allāh did not sent to them those prophets whom they denied, it would have been better for their worldly life and their Hereafter.

So it is now allowed to claim that the ʿillah for the ruling of shortening the prayer is difficulty and that because of that it is only allowed to shorten if there is difficulty in the travel and in this manner for every single other ruling.

Allāh the Most Exalted said, “He cannot be questioned as to what He does, while (only) they will be asked” [21:23].

And He said, “(He is the) Doer of whatsoever He wills” [85:16].

And He said, “Thus Allāh judges; nothing can reverse (adjust) His judgment” [13:41].

Allāh says, “And let not the disbelievers think that Our postponing of their punishment is good for them. We postpone the punishment only so that they may increase in sinfulness. And for them is a disgracing torment” [3:178].

And Allāh says, “Do they think that in wealth and children with which We enlarge them. We hasten unto them with good things. Nay,

[it is a Fitnah (trial) in this worldly life so that they will have no share of good things in the Hereafter] but they perceive not" [23:55-56].

Allāh tells that He only postponed them to only harm themselves later, not for their benefit. And Allāh says, "And let not their wealth or their children amaze you. Allāhs Plan is to punish them with these things in this world, and that their souls shall depart (die) while they are disbelievers" [9:85].

Allāh says, "Those are the ones whose hearts Allāh does not want to purify (from disbelief and hypocrisy)" [5:41].

Allāh makes it clear that their claim, "Allāh only does anything only for the benefit of his servants," is all false. And what is meant with the servants of Allāh is all of creation as all of the creation of Allāh are his servants as Allāh is the creator of all of them.

And also it would have been more beneficial for anyone to enter jannah without any taklīf without any action needed and also not any difficulty.

This is clarified when Allāh said, "And We have put coverings over their hearts lest they should understand it (the Qurʿān), and in their ears deafness" [17:46].

And when Allāh said, "Allāh has set a seal upon their hearts and upon their hearing, and over their vision is a veil. And for them is a great punishment" [2:7].

What goodness or benefit is there in Allāh Setting a seal on their hearts and deafness in their ears. We seek refuge in Allāh in wanting that from us.

They ask, "Does rejecting taʿlīl from the actions of Allāh itself lead to ibṭāl ul- qiyās? Do you reject qiyās because of rejecting taʿlīl from the actions of Allāh?"

The answer: Allāh does only however he wills, but rejecting taʿlīl from the actions of Allāh itself does not imply the falsehood of qiyās completely, it does invalidate most of it. Rejecting taʿlīl from the actions of Allāh only invalidates matching ʿilal, but not for example qiyās based on a consistent description (al-waṣf al-munḍabiṭ). Qiyās

based on consistent description has a similar definition as our definition of ʿillah which we clarified before, two examples for it is the ʿillah of ḥudūd being deterring or breaking the fast during the travel for the ʿillah of difficulty.

Rejecting taʿlīl from the actions of Allāh does not imply rejecting taʿlīl from the sharʾ of Allāh. Because many of the sharʾ is reasoned itself (Muʿallal), with aḥkām and actions. What is only rejected is taʿlīl which has not come with the sharʾ, that has no place for our senses to perceive it and also not the ʿaql.

Then there is also a difference between claiming an ʿillah for something, which necessitates for Allāh to perform an act, leaving or a sharʾ, and an ʿillah which Allāh himself makes with his will, his ḥikmah, his qahr for an act, leaving off or a sharʾ.

We only reject the first one, Allāh is Hakīm and ʿAlīm. His actions and some of His sharʾ are muʿallal (reasoned) itself with the ḥikmah of Allāh if He mentioned the reason for them and no one knows his ḥikmah except what he has taught us from that or what our ʿaql can sense with certainty. And none of that is moved to other places.

Qiyās is from the manners of the ʿaql in istinbāṭ which is presumptive, used to reveal the differing influencing [ʿillah] or by negating it.

The ruling according to the majority as it is the understanding of the sharʾ, is that the addressing of Allāh requires from everyone obedience, with the heart, tongue and with actions. The purpose of obedience is seeking the pleasure of Allāh, to be saved from the hell fire and to enter paradise, this is the general ḥikmah and the sufficient complete ʿillah. Because everyone that is mukallaf from jinn and mankind are not created except to obey Allāh. This does however not negate the possibility of the ḥikmah of the sharʾ applying for its details if its stated.

What is prohibited are only two: First is not obeying Allāh till the ḥikmah is known which is false, it is instead obligatory for every mukallaf to instantly obey Allāh any naṣṣ that reaches if he understands

it and has the ability what is requested from obedience. The second, basing any sharʾī ruling from any sharʾī ḥikmah, while the ḥikmah is not mentioned by any nuṣūṣ, "certain" istinbāṭ or assuming possibility, with the condition for it to be based from a ḥikmah by means of ijtihād in a place with no naṣṣ for its name. Because the ruled from a naṣṣ with its wording is more specific than its meaning. We only say that the ḥikmah is an authorized purpose for a mujtahid to seek it with those two methods mentioned. Because Hakīm is from the names of Allāh and his attributes, Allāh described his governing the sharʾ with ḥikmah in twenty verses in the book of Allāh and Allāh urges the ʿaql of mukallafīn to ponder and to have iʿtibār. The ḥikmah can be a worldly benefit which is from nuṣūṣ such as qiṣāṣ to achieve security and it can be istinbāṭ to achieve a religious benefit. The mujtahid gives preponderance that ḥikmah is religious and to lessen the measures on the day of judgment. A mukallaf will not yearn after this istinbāṭ as he will find in the religion of his creator that he is responsible for bliss and that the kuffār are rebuked for consuming pleasure in their worldly life. It is obligatory on a mujtahid, whether he can find a ḥikmah or not, to not affirm with certainty that it is the intention of the sharʾ so that he does not speak about Allāh without knowledge. The ḥikmah is only the [end] result of obeying him. For example some people write books regarding the prayer benefitting the body which is a worldly matter, it is not allowed for a mujtahid or anyone to affirm that these benefits are the intention of the sharʾ from the obligatory prayers, or any part of the rulings. It can instead be however said that ḥikmah is attained by obeying the ruling of Allāh and carrying it out. This is the difference between ḥikmah of the sharʾ and ḥikmah of obedience. A Muslim may be able to go through hardship better because of prayer and attain protection from many mistakes, this is a valid ḥikmah as Allāh says: "Verily, the prayer prevents from faḥshāʾ and munkar." [29:45]

And Allāh orders us to seek help in patience and the prayer. And it is narrated about the Prophet ﷺ, "My comfort has been provided in the prayer." Those who guard the five daily prayers properly have a

lot of worldly benefits, that is the result of obedience and the ḥikmah of the tashrīʾ, its knowledge is with Allāh. There are matters which are prohibited for anyone to seek its ḥikmah for completely, such as the mutashābihāt which are the broken letters, the ẓuhr prayer being four rakaʿāt instead of five or three. And maghrib being three rakaʿāt instead of two or four. Stoning jamarāt seven times, kissing the black stone, the ḥadd being eighty, or forty for specific crimes instead of one hundred fifty or only ten for taʿzīr. The ruling for these is as Allāh says, "He cannot be questioned as to what He does" [21:23].

Allāh says, "(He is the) Doer of whatsoever He wills" [85:16].

Allāh says, "Thus Allāh judges; nothing can reverse (adjust) His judgment" [13:41].

So when we know that a ḥikmah is from the texts it is affirmed and any ḥikmah that is not mentioned by the texts, it can be said regarding it that it is the result of obedience, but it cannot be affirmed as the ḥikmah intended for it by Allāh. And none of the ḥikmahs which is from texts can be used for the places it does not belong. And a ḥikmah that is not mentioned cannot be affirmed in the first place. And those two types can never be placed in different places to create rulings. So if it is claimed that we reject ḥikmah, it is a false claim which none of us believe.

They say, "Everything that is done for no ʿillah is useless (ʿabath)."

We have already clarified this before partially, here we will clarify it in great detail, by the will of Allāh. So we look into what they use as evidence for this claim, and we find that they mention the verse, "Our Lord! You have not created (all) this without purpose" [3:191].

And the verse, "And We created not the heaven and the earth and all that is between them without purpose" [38:27].

And the verse, "Did you think that We created you with no purpose" [23:115].

And the verse, "Does man think that he will be left neglected" [75:36].

The answer: As for the verse, “Does man think that he will be left neglected (suda)” [75:36].

This is only about that Allāh will not leave us with suda which is the muhmal, that Allāh will not leave us without rulings, without a prohibition that we must avoid, without an obligation that we must carry out or what is permissible for us.

As for the verse, “Did you think that We created you with no purpose” [23:115].

Allāh used the word ʿabath here, meaning, “Did you think that We created you aimlessly like animals and that you would not be returned to Us for retribution and resurrection?” As Allāh says in the exact same verse, “Did you think that We created you with no purpose, and that you would not be brought back to Us?” [23:115].

As for the verse, “Our Lord! You have not created (all) this without purpose” [3:191].

And the verse, “And We created not the heaven and the earth and all that is between them without purpose” [38:27].

These two verses mean, “We did not create these things aimlessly, outside of evident wisdom; rather, We created them as evidence of Our power.”

Allāh created it as evidence of His wisdom and power. That which clarifies these verses is that Allāh also said, “I have not created the jinn and mankind except to worship Me” [51:56]. ‘Without purpose’ (bāṭil) mentioned in these two verses mean nothing more than these creations are there for us to reflect on. We clarified this in great detail before when we clarified the meaning of iʿtibār, about reflecting on the creations of.

Allāh only. Allāh says, “Do they not look at the camels, how they are created?” [88:17]

What indicates this further as that the exact same verses they mention completely is, “Those who remember Allāh (always and in prayers) standing, sitting, and lying down on their sides, and think deeply (reflect) about the creation of the heavens and the earth,

(saying): ‘Our Lord! You have not created (all) this without purpose, glory to You! (Exalted are You above all that they associate with You as partners). Give us salvation from the torment of the Fire.’” [3:191]

None of these verses indicate in any possible way that we are obliged to make up ourselves reasons why Allāh has made rulings and use that reason to use that ruling other issues. This is from the falsehoods that can never be understood from these verses.

None of these verses indicate that we can transgress the reasons mentioned by Allāh and that we can use those reasons to apply it to issues which he has not mentioned that reason for. If these verses would be according to their false understanding it would still remain obligatory to limit where Allāh placed the limits and not to say about Allāh and His religion without knowledge. And all of the actions of Allāh are just and ḥikmah. This is because Allāh, exalted be He, places every existent thing in its proper place, and He is the ḥakīm who has no ḥākīm above Him, and there is no one to overturn His ruling. Allāh says, “He cannot be questioned as to what He does, while (only) they will be asked” [21:23].

And Allāh says, “(He is the) Doer of whatsoever He wills.” [85:16]

And Allāh says, “Thus Allāh judges; nothing can reverse (adjust) His judgment” [13:41].

And All of these verses must be used, it is not obligatory to abandon some for the other, as that is the case it becomes impossible for any of these verses to indicate their method.

All things that are described as evil that exist among us are created by Allāh, the doer among us is described with the evil, while Allāh the creator of it is described with justice, He does whatever He wills, Exalted is He, nothing can reverse His judgment.

Allāh never burdened us to do any of their method. The fact that All actions of Allāh is a ḥikmah does not mean that we can make up ʿilal ourselves and make up rulings ourselves. Allāh says, “Is not Allāh the Most Just of all judges” [95:8].

This verse indicates that every single thing Allāh does has a ḥikmah, none of this indicates their method regarding Allāh being obliged to anything for the benefit of the Muslims, or anything regarding their method of benefits (maṣlaḥah) and also not about their ʿilal All of it is transgression from the limits set by Allāh.

If anyone claims that there must be an ʿillah for every single thing that exists and that it is otherwise ʿabath, if they reject that it is created then we tell them about this second type: If you then agree that an ʿillah is created then there must be another ʿillah for that ʿillah, if it is necessary for a created thing to be for an ʿillah then that must also be for the second and third and so on forever, this necessitates that there are beings that create things without a limit to their amount and this is false, everything that is created has a limited amount, place and time, and everything that whose amount can be limited is finite so this becomes false and All praise is for Allāh.

If they say, "No Allāh created an ʿillah for the ma'lūl but that ʿillah is without an ʿillah."

They are asked: Your claim is that Allāh creates everything for an ʿillah, which you call a ḥikmah, and you agree and admitted that an ʿillah is created, this must then also have an ʿillah otherwise you contradict yourself, where do you then get it from that Allāh creates some things for an ʿillah and other things not for an ʿillah? There is no other option at all. If they then agree that Allāh is not obliged to create anything for an ʿillah and that there are only somethings with an ʿillah and not everything then, we ask them further: Where do you then set the limit? That which Allāh and his Messenger said that a ruling which is a creation is for a certain reason or for anything other than that?

If they say, "Allāh still creates an ʿillah for anything other than that."

Then they have clearly spoken falsehood as it is impossible to ever indicate a limit for this claim it is a claim about the unseen. The answer without any doubt is that the limit is where Allāh and his Messenger set the ʿillah and the rulings they mentioned an ʿillah for,

this establishes that no one can use the reasons Allāh and His Messenger used for issues other than that where they mentioned them. This is absolute certain evidence that it is not possible to ever claim that an ʿillah can ever be made up for other rulings or that an ʿillah can be moved from one ruling to another, anyone that does that contradicts all of this and there is never a single way for a certain evidence for him.

Their method implies that everything Allāh and his Messenger did not specify a ʿillah for then ʻabath? And it contradicts making a difference between manṣūṣah ʿillah and ghayr manṣūṣah.

Qiyās Jalī, Qiyās With a Manṣūṣah ʿIllah, Taʿmīm Ḥukm Ul-ʿIllah

If you have understood all that we clarified before then you understand that this method is also corrupt, but I will clarify its falsehood even further because of how often the naïve fall for it. All of these three types of qiyās are the same qiyās, they say regarding them. "Whenever Allāh or His Messenger mention a reason for a ruling, we must use the ruling that reason came with every time that reason is applicable."

The answer: What do you say about a human that says during his lifetime or right before passing away, 'Free my slave Maymūn because he is black.' While he has many black slaves, do you then free all of them because of the ʿillah black based upon qiyās from Maymūn, or do you not free all of them except for Maymūn alone?

If they say, "We free all of them," then they oppose their own sayings and speak clear falsehood that is not understood from speech.

If they say, "We do not free except for Maymūn." Then they have abandoned their method of ʿilal and qiyās and return to the truth.

Do you not see that anyone would always inquire additionally what exactly that ʿillah mentioned entails? When he gave the reason, "Because he is black." From speech it is only understood that he initially only frees Maymūn and that he cannot get to know, if he must free the remaining black slaves or not, except after asking it again. Since all of them agree that whoever says, "Free my slave Sālim, because he is black," while he has many black slaves, that then Sālim only is freed, to prevent freeing who is not ordered to be freed and fearing changing the order of the one who gave the bequeathed.

If they say, "We would free all other black slaves as well if the bequestor would say, 'Free my slave Sālim because he is black,' and would say after that, 'And do iʿtibār.' We would then be obliged to free all black slaves."

The answer: This is corrupt of them for two reasons. Firstly, even if he said that, it does not in any way possible indicate freeing all black slaves, because making iʿtibār is not more likely to mean qiyās, which is false, than, "Do iʿtibār of my situation which I am in, and hurry to obedience to Allāh, do not oppose my bequest."

And also whoever uses this false answer obliges himself not to ever any qiyās from any of the aḥkām, except if there is in every single narration or verse the mention at the end the order to perform Iʿtibār which does not exist in anything from the aḥkām and also not a single narration, from here once more the falsehood of qiyās and ʿilal becomes clear once more. Especially since we clarified the correct meaning of Iʿtibār in the greatest of details.

The question we imposed remains. And we add to it: Even if he had then said, "Perform Iʿtibār," if he then said on another day after freeing the slaves, "Slaughter my goat because he is lame," while he has many lame goats, are you then going to slaughter all lame goats he has because of what he said yesterday with his order of freeing his slave and to make Iʿtibār then? While he only said ordered Iʿtibār once for one of the orders but not the other. Is then the order to make Iʿtibār once sufficient? Or do you not perform Iʿtibār except if it is always repeated in all of his orders? If they say, "Ordering Iʿtibār once is sufficient." They have abandoned ijmāʾ, and it is not that which they believe in reality. If they would believe that they would believe also in that which has not a single trace of evidence, claiming falsehood. And if they admit that they do not believe that it indicates an Iʿtibār for every ruling they have abandoned qiyās as the other option implies looking for a word in every single verse and ḥadīth, this is something that does not exist. Allāh prohibited the people from asking his Messenger and ordered them to limit to what they are able to understand from what is ordered only. If what was intended from the text would be also that which is not heard from the Prophet ﷺ (also texts), then they would be obliged to ask to attain understanding and to learn. Since they were

prohibited from asking questions, it is established that they are obliged nothing other than that which they are taught from the Prophet ﷺ alone.

Making an ʿillah a general ruling wherever it is found, or making it any ruling other than where it is placed by texts is qiyās. It is qiyās with an ʿillah that is manṣūṣah. If a ruling is tied to an ʿillah (sabab) which is mentioned by texts, then the ruling and what must be done is to apply that ʿillah for the ruling it came with only, and that mentioned ʿillah is only a general ruling if there are other texts that clarify it being a general ruling. So an ʿillah is never in of itself a ruling, nor does it move to other issues. All as clarified before.

Another example for that is that if a man says to his agent, "Give this charity to Zayd because he is poor." There are two possibilities, he either ordered him to give the charity to Zayd only, or he ordered him to give it to Zayd and everyone else that is poor. One of these is not more likely than the other, no one can with certainty affirm that, it is not known unless there is additional evidence that clearly rule it as general. So it covers Zayd with certainty, as for other than Zayd that are also poor, it cannot be known except with additional certain evidence. What can be known from this, and such orders is that there only might be a relation between giving charity and poorness but this relation alone does not make it in of itself general.

No necessity, and no ʿaql and no language and nothing from the Qurʿān and Sunnah obliges their claims about making an ʿillah general, so the ʿillah must always stay in the place it came.

The exact same is if a father says to his son, "Marry so-and-so woman for her religion," or "For her beauty," Or if he says, "Divorce your wife because of her bad character." None of this means that he ordered divorcing every single woman which he would have that has a bad character or the obligation of marrying women only for their religion or beauty, none of this applies with certainty except to what it is tied to, anything other than that is not known with any certainty.

The same is if someone says to his agent, "Sell this house, because it is far and give its reward to Saʿīd because he is smart."

As for things that can be general, we said that it must have additional evidences that it is prohibited in general, such as if a man says to his son, “Do not eat this because it is poisoned.” While this is prohibited in general without any doubt, it does in itself not indicate its prohibition in general. In these cases, there is always evidence that the reason given is also a clear ruling from texts.

The same is if someone says, ‘I have freed my slave Sālim due to his blackness.’ Or if someone says to his agent, ‘Free him for his blackness.’

And Allāh said, “So they prostrated, except for Iblīs; he was of the jinn, so he deviated from the command of his Lord” [Al-Kahf: 50]

According to their claims being from the jinn implies not prostrating.

They do the same with the sayings of the Prophet ﷺ for istiḥāḍah, “For it is an ʿirq.”[271] It becomes obligatory according to their method to make every flowing ʿirq in the body the same ruling as istiḥāḍah.

Allāh said, “Nay, We fling (send down) the truth against the falsehood, so it destroys it, and behold, falsehood vanishes. And for you is destruction for that which you ascribe to Allāh” [21:18].

And Allāh said, “And that those in whose hearts is disease and the disbelievers will say, ‘What does Allāh mean with this example?’ Thus does Allāh send astray whom He wills and guide whom He wills” [74:31].

And Allāh said, “And your Lord creates whatsoev er He wills and chooses: no choice have they (in any matter). Glorified be Allāh, and exalted above all that they associate (as partners with Him)” [28:68].

And Allāh said, “(He is the) Doer of whatsoever He wills” [85:16]

[271] Al-Mujtaba 357

And Allāh said, “Verily, His Command, when He intends a thing, is only that He says to it, ‘Be!’ - and it is!” [36:82].

And Allāh said, “He cannot be questioned as to what He does, while [only] they will be questioned” [21:23].

And Allāh said, “See what examples they have put forward for you. So they have gone astray, and never can they find a way” [17:48].

And Allāh said, “And no example or similitude do they bring, but We reveal to you the truth (against that similitude or example), and the better explanation thereof” [25:33].

When Allāh said, “And that those in whose hearts is disease and the disbelievers will say, ‘What does Allāh mean with this example?’ Thus does Allāh send astray whom He wills and guide whom He wills” [74:31].

Allāh clarified us in utmost clarity that searching for the ʿillah of what Allāh intended is misguidance which is searching for the reason.

Allāh also said, “But Allāh’s (torment) reached them from a place whereof they expected it not” [59:2].

Their method of ʿilal is nothing but expectations, while Allāh has clarified that his rulings are that which no one is able to expect.

And Allāh says, “Fighting has been enjoined upon you, even though you dislike it. But it maybe that you dislike something which is good for you, and you like something which is bad for you. Allāh knows and you do not know” [2:216].

Allāh tells regarding people who were ordered to give charity, “Those who disbelieve say to those who believe, ‘Should we feed one whom, if Allāh had willed, He would have fed?’ You are not but in clear error” [36:47].

This is nothing but rejection from Allāh about those who did taʿlīl because they meant, “If Allāh wanted to feed those then he would have fed them without burdening us to feed them.”

Allāh says, “And that those in whose hearts is disease and the disbelievers will say, ‘What does Allāh mean with this example?’ Thus

does Allāh send astray whom He wills and guide whom He wills" [74:31].

And these are prohibitions against saying, "Why was this prohibited while this is allowed," and also against claiming reasons for why a ruling is in a specific manner, and also against using such a reason to specify a ruling.

And all praise is for Allāh, the Lord of everything, and blessings of Allāh be upon Muḥammad the seal of the Prophets, his servant and Messenger.

وَصَلَّى اللَّهُ عَلَى مُحَمَّدٍ وَآلِهِ وَصَحْبِهِ وَسَلَّمَ